

CHAPTER 10 LAND USE POLICIES

Overview

The land use policies set out in this chapter build upon the framework provided in previous chapters of this Plan. They are intended to be comprehensive policy statements pertaining to the land use designations as shown on the **Schedule 'A' - Land Use Plan, Schedule 'A1' – Commercial Land Uses, Schedule 'A2' – Employment Areas, Schedule 'A3' – Open Space Land Uses** and **Schedule 'A4' – Natural System**. It is the intent of this Plan that urban growth in the City will occur in accordance with the land use designations as shown on the above-mentioned Schedules and as set out in the policy sections of this chapter.

This Plan includes five categories of land use designations – Residential, Commercial, Employment, Open Space and Major Institutional. With the exception of the Major Institutional designation, each designation includes a sub- set of designations that further define the intended planned function of lands included within the designation. The policies related to each land use designation establish the uses that are contemplated in each designation. Together, the designations describe where uses such as housing, employment, stores, services, open space, institutions and recreation are contemplated to locate and where a mix of uses is desired or required.

This Plan contemplates a greater mixing of uses on individual sites than has been planned historically within Waterloo. This is particularly the case for lands within Residential and Commercial designations within Nodes and Corridors. Specifically, categories within Residential and Commercial designation speak to maintaining a primarily residential or commercial function while defining a mix of supporting uses that provide opportunities for people to live, work, learn and play in close proximity. Supporting uses may be permitted to be developed as a freestanding use on a site, or as *ancillary uses* which are intended to be secondary uses on a site and required to be located within a *mixed-use* building or on a *mixed-use* site. Opportunities for a mixing of uses on sites designated Employment are more limited. In order to support the objective of ensuring a long term supply of employment lands, Employment designations contemplate a range of employment uses and limit other supporting uses to varying degrees, as defined within the individual land use designations.

10.1 RESIDENTIAL LAND USE POLICIES

Vision

The City will plan for a full range of residential neighbourhoods that meet the needs of the City's residents. The City's residential neighbourhoods vary significantly in their planned function, context, and intensity of land use. The residential land use designations of this Plan provide opportunities for a range of housing forms and densities, from low rise neighbourhoods to high rise neighbourhoods that permit high-rise apartment units. The residential land use designations are designed to provide for a range of housing forms and densities.

The residential categories allow *ancillary uses*, with higher density residential categories permitting a broader range of *ancillary uses*. The intent of this structure is that higher density residential projects have the ability to incorporate an appropriate range of non-residential uses, thereby facilitating *mixed-use development* and increasing densities. The non-residential *ancillary uses* support the *complete community* concept by providing convenient local access to day to day goods and services.

Medium to high rise residential land uses are generally directed to designated Nodes and Corridors. The Nodes and Corridors are planned to have convenient access to transit, be *pedestrian* supportive through design, and are anticipated to accommodate a significant portion of Waterloo's growth to 2051.

Areas designated Low Rise Residential are generally located outside of Nodes, Corridors and Major Transit Station Areas. Low Rise Residential areas will continue to evolve over time through minor and context sensitive densification, with predominately ground oriented residential built forms, as well as complementary and ancillary uses as set out in this Plan and/or implementing Zoning By-law.

All residential development will be consistent with the City's urban design objectives and policies as set out in this Plan and supporting implementation documents.

10.1.1 General Policies

- (1) Lands designated residential are shown on **Schedule 'A' - Land Use Plan**. Residential land use designations serve a range of functions as described in the policies of this chapter. The residential land use designations are:
 - (a) Low Rise Residential.
 - (b) Medium Rise Residential.
 - (c) Medium High Rise Residential.
 - (d) High Rise Residential.
- (2) Approval of *development* within areas designated Low Rise Residential, Medium Rise Residential, Medium High Rise Residential, and High Rise Residential as shown on **Schedule 'A' - Land Use Plan** will be subject to the availability of schools, parks and recreation facilities, *infrastructure*, and all other services and public works required to service the proposed development to the standards of the City and authorities having jurisdiction.
- (3) The City shall use various tools and processes at its disposal to implement the residential land use policies of this Plan, including but not necessarily limited to zoning, *site plan* control, determination of complete *development* applications, excluding *site plan* applications, and property standards.
- (4) Any residential development proposed in close proximity to a rail line shall be subject

to the noise policies, set out in the Environment and Energy Chapter.

Home Occupations

- (5) *Home occupations* may be permitted in land use designations that permit residential uses, as set out in the implementing Zoning By-law. Where a class or classes of *home occupations* are not permitted in the Zoning By-law, a Zoning By-law Amendment shall be required, and shall demonstrate that:
- (a) The *home occupation* is compatible with adjacent residential uses with respect to built form, noise, odour, fumes, vibration, dust, glare, traffic, and parking;
 - (b) There is no outside storage of goods associated with the *home occupation*;
 - (c) The *home occupation* will not generate a significant increase in vehicular traffic;
 - (d) No exterior alterations are to be made to the dwelling other than those made to enhance the residential use of the structure;
 - (e) There are no proposed outside storage and display areas, and exterior lighting and signage is restricted to avoid impacting adjacent land uses;
 - (f) The *home occupation* fulfills the requirements governing such matters as permitted uses, allowable floor space, parking and signage as may be provided for in the Zoning By-law and the Sign By-law; and,
 - (g) No significant delivery or shipment of goods or materials to or from the dwelling is required by the *home occupation*;

High Quality and Innovative Design

- (6) The City seeks a high standard of urban design and innovation in the design of residential areas and in the design and construction of residential units, including where innovation will:
- (a) Incorporate *sustainable design*;
 - (b) Lower costs to purchasers;
 - (c) Maintain compatibility with surrounding land uses and where possible complementing the existing landscape features of the surrounding neighbourhood;
 - (d) Reduce municipal expenditure;
 - (e) Support Waterloo's development as a *complete community*; and,
 - (f) Protect *natural features* and their *ecological functions*.

Residential Density

- (7) In order to plan for the availability of medium rise, medium high rise and high rise housing sites, and to assist in the achievement of the planned densities for a given area, the Zoning By-law will incorporate performance standards intended to minimize the re- subdivision of sites intended for multiple unit housing forms to lower density housing and the subsequent under-development of sites.

- (8) Council recognizes the importance of achieving sufficient minimum levels of density in *Designated Growth Areas* to economically provide municipal services and contribute toward the achievement of *Designated Growth Area* density targets set out in Table 3-1 of this Plan and in accordance with the Provincial Planning Statement.
- (9) Densities referred to within specific residential land use designations shall be interpreted as gross density calculations after all road widenings and other land conveyances. All portions of the site that are designated residential shall be used to calculate adherence to such gross density regulations, provided further that:
 - (a) Development within *Designated Growth Areas* shall also adhere to minimum gross density targets set out in Table 3-1 this Plan.
 - (b) To implement the density targets identified in Table 3-1, the City will apply minimum density requirements, through appropriate planning mechanisms, to all residential *Designated Growth Areas* that are subject to a Plan of Subdivision.
- (10) This Plan is intended to guide *development* in terms of compatibility, scale and intensity of use and built form. In addition, this Plan provides a framework for the City to plan for *infrastructure* requirements over the long-term, ensure properties develop at appropriate densities for the property size, and foster land use compatibility. To achieve the foregoing, density calculations for residential uses, where applicable, shall be measured using a gross density calculation in *bedrooms* per hectare, or such other method as the City determines appropriate as set out in the Zoning By-law.
- (11) Detailed residential densities may be reflected through District Planning, and established in the Zoning By-law, provided the densities are in conformity with the policies of this Plan, where applicable.

10.1.2 Supporting a Range of Housing

- (1) This Plan recognizes that access to a range of housing contributes to the quality of life within a City. The City will plan for a diverse range and mix of housing options that vary in terms of form, tenure, density, price and number of *bedrooms* to accommodate the needs of all sizes, incomes, and ages of households.
- (2) To support a range of housing options and the transition of neighbourhoods to *complete communities*, this Plan enables a diverse range of compact low rise residential built forms within low rise neighbourhoods, and medium rise, medium high rise and high rise residential *intensification* within designated Nodes, Corridors and Major Transit Station Areas throughout the City.
- (3) The City will work collaboratively with the Region of Waterloo, as Housing Service Manager, as well as other senior levels of government, the private sector, and not-for-profit organizations to support the provision of *affordable housing* and *special needs*

housing in areas that permit residential uses throughout the city.

- (a) Where possible, *affordable housing* and *special needs housing* should be located within walking distance of schools, public transit, lands designated commercial, parks and recreational facilities and have convenient access to other *community infrastructure*.

Additional Residential Units

- (4) Additional Residential Units, up to a maximum of three additional units per lot may be permitted in a broad range of residential areas within the city, with definitions, locations and regulations governing such units established in the Zoning By-law. Additional Residential Units may be permitted in a:
 - (a) Single detached building;
 - (b) Semi-detached building;
 - (c) Townhouse building;
 - (d) Duplex building;
 - (e) Triplex building; and,
 - (f) Coach house (i.e. and ancillary detached building or structure),provided the total number of dwelling units on the lot is four or less.
- (5) The Zoning By-law shall establish appropriate regulations and standards for Additional Residential Units such as, but not necessarily limited to, parking, lot size, frontage, floor area, scale, and availability of services.
- (6) Notwithstanding policy 10.1.2 (4), more than three Additional Residential Units per lot may be permitted without an amendment to this Plan, but shall be:
 - (a) compliant with applicable provisions in the Zoning By-law; and,
 - (b) permitted in the Zoning By-law.

Housing to Support Post-Secondary Educational Institutions

- (7) This Plan recognizes the need for the provision of comprehensively planned, safe, suitable, compatible, and an appropriate range of housing types for users of post-secondary educational institutions. This Plan supports and encourages the provision of such housing:
 - (a) Firstly, by the post-secondary educational institution, either on or in close proximity to the main campus of post-secondary educational institutions;
 - (b) Within those portions of the designated Nodes and Corridors which are in close proximity to the main campus of post-secondary educational institutions; and,
 - (c) Within a comprehensively planned and designated area set out in a District Plan, subject to the related policies of the District Plan.
- (8) This Plan supports efforts to stabilize, and in some cases revitalize neighbourhoods surrounding the post-secondary educational institutions. Regard shall be given to:

- (a) Having an appropriate balance of housing types;
- (b) Having a broad mix of housing unit types;
- (c) Having a range of unit sizes.

Affordable Housing

- (9) The City, in collaboration with the Region, will plan to achieve an overall target of a minimum of 30 percent of new ownership and rental housing being *affordable* to low and moderate income households.
- (10) The City will support the Region in monitoring the progress in meeting the *affordable* housing target set out in policy 10.1.2(12).
- (11) Where a *development* application, excluding *site plan* applications, proposing residential uses is submitted for a site containing one hectares or more of developable lands, a minimum of 30 percent of new residential units will, wherever appropriate, be planned in forms other than single detached and semi-detached units, and street fronting and single unit condominium townhouse units as required by the Regional Official Plan.
- (12) Regard shall be given to an adequate mix of rental and ownership units for a wide variety of household sizes when considering *development* applications, excluding *site plan* applications, and creating new or amending existing District Plans.
- (13) The City may provide a range of planning tools and regulatory incentives pursuant to the Planning Act and Municipal Act that encourage *affordable housing*. These may include:
 - (a) Developing a protocol in collaboration with the Region to fast-track *development* applications that contain *affordable housing* units;
 - (b) Collaborating with the Region of Waterloo and community partners to foster the provision of *affordable housing*;
 - (c) Grants, tax relief, waivers of fees and charges and other incentives for *affordable housing* projects provided through a Community Improvement Plan, Capital Facilities By-law or other appropriate mechanisms; and,
 - (d) Design solutions that support housing affordability while maintaining appropriate levels of safety, functionality and aesthetic quality.
- (14) The City may set out regulations in the Zoning By-law to permit, in appropriate locations within the city, emergency shelters and other temporary accommodations for individuals and households experiencing homelessness.
 - (a) In determining appropriate locations for emergency shelters and temporary accommodations for individuals and households experiencing homelessness, the City will have regard for planned heights and densities, *infrastructure* capacity, natural hazards, proximity to services, proximity to other emergency shelters and

temporary accommodations for individuals and households experiencing homeless, transportation options and other criteria as deemed appropriate by the City.

Inclusionary Zoning

- (15) The City will enact zoning by-laws for Inclusionary Zoning, pursuant to the Planning Act and in accordance with the policies of this Plan, to require *affordable* housing units to be included in *development* containing dwelling units located within Major Transit Station Areas as identified on **Schedule ‘B’ – City Structure**.
- (16) Notwithstanding policy 10.1.2(15), Inclusionary Zoning will not apply to:
- (a) *development* containing fewer than 50 residential units.
 - (b) the portions of a development containing a *long term care facility*, assisted *living facility*, *lodging house*, *special needs housing* or a student residence owned and/or operated by a post-secondary educational institution.
 - (c) *development* proposed by a non-profit housing provider or proposed by a partnership in which:
 - (i) a non-profit housing provider has an interest that is greater than 51 per cent, and
 - (ii) a minimum of 51 per cent of the units are intended as *affordable* housing, excluding any offsite units that would be located in the *development*;
 - (d) developments that are otherwise exempt under the Planning Act
- (17) *Development* subject to the Inclusionary Zoning requirements will set aside a minimum percentage of new *Gross Leasable Residential Area* as *affordable* units in accordance with Table 10-1. Table 10-1. Inclusionary Zoning Set-Aside Requirements

Market Area	Major Transit Station Area	Minimum Percentage of Gross Leasable Residential Area Set Aside for <i>Affordable</i> Units by Date of Building Permit Issuance			
		2025-2026	2027-2028	2029-2030	2031+
Prime	• University of Waterloo • Laurier-Waterloo Park • Waterloo Public Square • Willis Way • Allen	2%	2-3%	2-4%	5%
Established	• Conestoga • Research & Technology Park • Northfield	1%	1-2%	1-3%	5%

Emerging		0%	0-1%	0-2%	5%
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- (18) Notwithstanding Policy 10.1.2(17), any lands located within a Major Transit Station Area that are designated Employment in the City Official Plan as of the date of the passing of Official Plan Amendment 50 and that require a land conversion to permit residential uses will be required to meet the set aside rates and timing associated with the Prime Market Area in Table 10-1, in the event that residential uses are permitted.
- (19) *Affordable* units required under 10.1.2(15) will be provided as rental units.
- (20) The City, in consultation with the Region and the Cities of Kitchener and Cambridge will establish maximum rents for the required *affordable* units on an annual basis as described in the definition of *affordable* in Chapter 13 Glossary.
- (21) *Affordable* units required under 10.1.2(15) will be:
- (a) occupied by low or moderate income renter households as described in the definition of *affordable* in Chapter 13 Glossary with a maximum income at the time of their initial tenancy of 3.5 times the *affordable* dwelling unit's rent;
 - (b) rented in accordance with policies of this plan for a period of at least 25 years from the date of first residential occupancy of the *affordable* dwelling unit;
 - (c) similar to the market portion of the *development* giving rise to the *affordable* dwelling units in terms of unit mix and size, as appropriate, to achieve a balanced mix of *affordable* dwelling unit types and sizes and support the creation of *affordable* dwelling units suitable for a range of household sizes; and,
 - (d) first occupied prior to or coincident with and proportional to the first occupancy of the market dwelling units in the *development* giving rise to the *affordable* dwelling units.
- (22) The City, together with the Region, will support *developments* in meeting their Inclusionary Zoning requirements by exempting *developments* that contain the required *affordable* units, on a prorated basis, from parkland dedication requirements, development charges, and community benefit charges, in accordance with Provincial Legislation.
- (23) The City will support *developments* in meeting their Inclusionary Zoning requirements by not requiring off-street parking to be provided for the required *affordable* dwelling units.
- (24) *Affordable* dwelling units will be provided within the building giving rise to the Inclusionary Zoning requirements, or offsite in a building located within a Major Transit Station Area identified on Schedule 'B', and on lands subject to the Inclusionary Zoning by-law.

- (25) Further to policy 10.1.2(24), and consistent with the intent of policy 10.1.2(21)(d), the timing of first occupancy of offsite *affordable* dwelling units will be prior to or coincident with and proportional to the occupancy of market units on the site giving rise to the requirement for the *affordable* dwelling units.
- (26) The City with support from the Region, will verify ongoing *affordable* rents of the dwelling units, and their occupancy by eligible households, by establishing and maintaining a list of eligible tenants, outlining reporting requirements, and securing these requirements through agreements as outlined in Section 12.2.3.
- (27) The City shall prepare an assessment report every five years or more frequently as necessary, in accordance with the Provincial requirements, for the purpose of determining whether any Inclusionary Zoning policies in this Plan should be amended.
- (28) The City, together with the Region, shall monitor the impact of Inclusionary Zoning on the *affordable* housing supply and will prepare and make publicly available a report every two years in accordance with Provincial requirements. The report will contain information relating to:
- (a) The number of *affordable* dwelling units.
 - (b) The types of *affordable* dwelling units.
 - (c) The location of the *affordable* dwelling units.
 - (d) The range of household incomes for which the *affordable* dwelling units were provided.
 - (e) The number of *affordable* dwelling units that were converted to units at market value.
 - (f) The proceeds (if any) that were received by the municipality from the sale of *affordable* dwelling units.
- The City may initiate amendments to the policies of this Plan in response to the findings of such report in advance of the 5-year assessment report update.
- (29) The City will prepare a report to Council before the last day of 2024, 2026, 2028 and 2030, on local market conditions and feedback from the development industry, and provide a recommendation on whether the Minimum Percentage of Gross Leasable Residential Floor Area to be provided as *affordable* dwelling units should be imposed or increased in January the following year, and if any of the Major Transit Station Areas should be reclassified as a different Market Area in Table 10-1. This report will analyze factors such as market rents, condominium sale prices, presales and market unit absorption, financing costs, construction costs, building permits, construction starts and lands sales.

OPA No. 50, approved September 12, 2024

Special Needs Housing

- (30) It is recognized that *special needs* housing provides care for persons with physical, social, mental, or emotional disabilities and shall be permitted in all designations that permit residential uses.

Protecting Rental Housing Supply

- (31) The City will regulate, through an implementing by-law, the demolition of *existing* residential rental buildings containing six or more dwelling units, consistent with the following criteria:
- (a) where the replacement of rental units is required, any replacement units will include the same or higher number of units of comparable *bedroom* mix and affordability to the units demolished; and,
 - (b) where the demolition of rental units is permitted, existing tenants will be compensated in accordance with the regulations of the Residential Tenancies Act, 2006.
- (32) A *development* application to create a plan of condominium, which would result in the conversion of rental housing to condominium ownership for buildings with six or more units, shall only be permitted where:
- (a) the rental *vacancy rate* for comparable units for the area municipality, or the Census Metropolitan Area if not available for the area municipality, has been at or above three percent for the preceding two years; and
 - (b) the applicant notifies all tenants about the intention to convert the building(s) to condominium ownership and offers first right of refusal to purchase a condominium unit as appropriate, in accordance with the regulations of the Residential Tenancies Act, 2006.
- (33) Statistical data used for calculating *vacancy rates*, rent charges, and dwelling/structure types will be determined by the Canada Mortgage and Housing Corporation (CMHC).

Bed and Breakfast Establishments

- (34) It is recognized that *bed and breakfast establishments* complement the City's tourism industry by providing short-stay, temporary accommodations for the travelling public.
- (35) *Bed and breakfast establishments* may be permitted in:
- (a) Areas designated Low Rise Residential;
 - (b) Commercial land use designations within the Uptown Primary Node.
- (36) Regulations for *bed and breakfast establishments* may be established in the Zoning

By-law and Sign By-law. Regulations shall require sufficient off-street parking to meet the demands of the use.

- (37) *Bed and breakfast establishments* are encouraged to locate in dwellings where the use does not necessitate the expansion of the dwelling.

Commercial Uses in Residential Designations

- (38) Lands designated Low Rise Residential, Medium Rise Residential, Medium High Rise Residential and High Rise Residential may permit a limited range of commercial uses that cater to *pedestrian*, bicycle and non-vehicular travel and are intended to support the primary residential uses. *Ancillary* commercial uses are not intended to be standalone uses but rather, must be provided within a *mixed-use*, multi-storey building and in a manner that is oriented toward, activates and enhances the *pedestrian* environment. Particular regard shall be given to site and building design that give priority to *pedestrian* and other non-vehicular movements and that provide for adequate and safe vehicular circulation, vehicular parking and site services to be located away from the street while maintaining a *pedestrian*-friendly streetscape and human-scale form of development.

10.1.3 Low Rise Residential Designation

Vision and Planned Function

The Low Rise Residential designation is intended to accommodate primarily low-rise residential land uses at lower densities than the rest of the City. *Intensification* in areas designated Low Rise Residential shall be context sensitive to the surrounding neighbourhood and maintain a low-rise built form.

Land Use

- (1) The Low Rise Residential designation shown on **Schedule 'A' - Land Use Plan**, is a designation in which the predominant use of land is residential. The aim of this designation is to permit a mixture of low-rise residential building types across neighbourhoods that support and are generally consistent with the existing low-rise built form of the area. Lands designated Low Rise Residential may be zoned to permit specific low-rise building forms being one or more of the following: single-detached dwellings; semi-detached dwellings; duplex dwellings; triplex dwellings; and townhouses. Some sites may also be zoned to permit stacked townhouse dwellings and/or apartment units. The Zoning By-law will restrict the range of permitted uses within zones that implement the Low Rise Residential designation with the intent of achieving a low-rise built-form, context sensitive development, and a high standard of design.

- (2) In addition to permitted residential uses above, lands designated Low Rise Residential may be zoned to permit the following complementary uses, subject to the provisions of this Official Plan, provided they do not impact the ability of the lands to achieve the vision and policies in this designation:
- (a) *Assisted Living Facility*;
 - (b) Child care centres;
 - (c) *Community uses*;
 - (d) Limited commercial uses and convenience retail uses as regulated by the Zoning By-law;
 - (e) *Long Term Care Facility*; and,
 - (f) *Spiritual uses*.
- (3) The height and density of uses within the Low Rise Residential designation shall be limited as shown on **Schedule 'B1' - Height and Density** and as set out in section 3.4. For clarity, the following regulations apply:
- (a) The maximum gross residential density permitted on any one site may be established in the implementing Zoning By-law.
 - (b) The maximum height of any building shall not exceed 4 storeys, except as provided in 10.1.3 (11) and 10.1.3 (12) below. The Zoning By-law may further define or restrict building heights as deemed appropriate by the City.
- (4) Lands designated Low Rise Residential may be zoned to permit offices, and *convenience retail* uses on the ground floor of a multi-storey *mixed-use* building, as *ancillary* uses. Such uses will be considered by way of an amendment to the Zoning By-law and applications to amend the Zoning By-law and permit *ancillary uses* will consider:
- (a) The ability to provide sufficient off-street parking, while achieving required Zoning By-law performance standards;
 - (b) The impact that additional traffic will have on local *roads*; and,
 - (c) The use is not expected to introduce undesirable effects to the surrounding residential neighbourhood, such as excessive noise, light and other effects.
- (5) New development shall respect and reinforce the general physical patterns in the neighbourhood, including those established by:
- (a) street and block configurations;
 - (b) lot sizes and configurations; and,
 - (c) building height and setbacks.
- (6) It is the intent of this Plan that the implementing Zoning By-law shall establish the range of permitted uses and establish regulations that further the planning objectives of policy 10.1.3.(5). Applications for intensification beyond what is permitted in the implementing Zoning By-law shall include an assessment of how the proposal addresses policy 10.1.3.(5).

Stacked Townhouse Dwellings and Low Rise Apartments on Lands Designated Low Rise Residential

- (7) Stacked townhouse dwellings, as defined in the implementing Zoning By-law, and low rise apartment dwellings (or equivalents) are enabled housing forms within the Low Rise Residential designation where appropriate, as determined by the City. Where stacked townhouse dwellings and low-rise apartments are not currently permitted in the implementing Zoning By-law, a Zoning By-law Amendment shall be required, which demonstrates an ability to satisfy the policies of this Plan including policies 10.1.3.(8) and 10.1.3.(9) below.
- (8) A Zoning By-law Amendment to permit stacked townhouse dwellings apartments (or an equivalent housing form) shall comply with the following criteria:
 - (a) The property is not located within a Heritage Conservation District;
 - (b) The proposal will achieve a high standard of urban design, with emphasis on:
 - (i) Site and building design that complement and enhance the surrounding neighbourhood;
 - (ii) Landscape design that creates visual interest, and promotes the 'greening' of the site; and,
 - (iii) Prominent entrances that emphasize the streetscape.
 - (c) Sufficient infrastructure exists to service the site;
 - (d) The proposal does not require significant relief from standard regulations;
 - (e) The development results in context-sensitive intensification in the low density residential neighbourhood and,
 - (f) The proposal complies with other criteria that may be deemed appropriate by the City based on the context of the site. Preference will be given to a built form that is accessible to persons with disabilities such as incorporating *VisitAble* housing features.

OPA No. 22, approved June 11, 2019

- (9) In addition to policy 10.1.3 (8) above, applications to amend the Zoning By-law to permit stacked townhouse dwellings or apartments (or an equivalent housing form) will be reviewed within the context of locational criteria deemed appropriate by the City including the following criteria:
 - (a) The property is located on the periphery of a low rise residential neighbourhood; or,
 - (b) The property is located within a Major Transit Station Area as identified on Schedule 'B'; or,
 - (c) The property is in close proximity to a school site or other *community uses*; or,
 - (d) The property is in close proximity to existing or planned transit; or,
 - (e) The property is in close proximity to commercial centres or neighbourhood shopping areas; or,
 - (f) Other locations as may be deemed appropriate by Council.

- (10) Notwithstanding policy 10.1.3 (3) of this Plan, on lands designated Low Rise Residential, a maximum height of 6 storeys may be permitted for apartment buildings (or an equivalent housing form) in compliance with the criteria in policies 10.1.3 (8) and 10.1.3 (9), and subject to a Zoning By-law Amendment.
- (11) Notwithstanding policies 10.1.3 (7), 10.1.3 (8), and 10.1.3 (9) above, properties designated Low Rise Residential and zoned to permit stacked townhouse dwellings or apartment units (or an equivalent housing form) as of the day of Council adoption of this Official Plan, may continue to be zoned to permit stacked townhouse dwellings or apartments (or an equivalent housing form) as the case may be.
- (12) The maximum permitted building height of a spiritual use, private school or public school in the Low Rise Residential designation shall be 4 storeys. The implementing zoning may also recognize existing *spiritual uses*, private schools and public schools on lands designated Low Rise Residential that exceed 4 storeys in height.
- (13) Stacked townhouse buildings, and similar built form typologies, typically contain dwelling entrances that are accessed by steps, which may not be accessible for persons with disabilities. This Plan strongly encourages accessible and *VisitAble* housing be developed wherever possible in order to facilitate ease of living and aging in place.

10.1.4 Medium Rise Residential Designation

Vision and Planned Function

The Medium Rise Residential designation is a category in which medium rise housing types are the predominant use of land. Properties are to be developed primarily for residential purposes, although complementary and *ancillary* uses are also permitted. The aim of this designation is to encourage medium density, *mixed-use*, primarily residential development within Minor Corridors, recognizing that properties may also function as a transition from low rise areas to medium high and high rise areas.

Land Use

- (1) Lands designated Medium Rise Residential as shown on **Schedule 'A'- Land Use Plan** may be zoned to permit multiple unit residential buildings that are greater in intensity than duplexes.
- (2) In addition to the permitted uses above, lands designated Medium Rise Residential may be zoned to permit the following complementary uses, subject to the provisions of this Official Plan, provided they do not impact the ability of the designated Medium Rise Residential area to achieve the vision and policies in this designation:
 - (a) *Assisted Living Facilities*;
 - (b) *Community uses*;
 - (c) *Long Term Care Facilities*; and,

- (d) *Spiritual uses.*
- (3) The height of uses within the Medium Rise Residential designation shall be limited as shown on **Schedule 'B1' - Built Form** and as set out in section 3.4. For clarity, the following regulations apply:
 - (a) The maximum gross residential density permitted on any one site may be established in the implementing Zoning By-law.
 - (b) The maximum height of any building shall not exceed 6 storeys.
- (4) To ensure properties are of sufficient size to accommodate medium rise uses, lands designated Medium Rise Residential shall have adequate frontage and/or flankage. The implementing Zoning By-law may contain minimum frontage and/or flankage requirements.
- (5) Lands designated Mixed-Use Medium Density Residential may be zoned to permit offices, *medical clinics*, *convenience retail*, restaurants, *food stores*, child care centres, and personal services as *ancillary uses*, subject to the implementing Zoning By-law setting out performance standards.

10.1.5 Medium High Rise Residential Designation

Vision and Planned Function

The Medium High Rise Residential designation is a category in which multiple residential buildings are the predominant use of land. This designation is intended to provide opportunities for substantial levels of *intensification*. Properties are to be developed primarily for residential purposes, although complementary and *ancillary* uses are also permitted. The aim of this designation is to encourage medium high density, *mixed-use*, primarily residential development in Minor Nodes and Corridors and well as the Uptown Waterloo Primary Node. This designation also functions as a transition between lower density and higher density areas.

Land Use

- (1) Lands designated Medium High Rise Residential as shown on **Schedule 'A' - Land Use Plan** will be designated to permit multiple unit residential buildings.
- (2) In addition to the permitted use above, lands designated Medium High Rise Residential may be zoned to permit the following complementary uses, subject to the provisions of this Official Plan, provided they do not impact the ability of the designated Medium High Rise Residential area to achieve the vision and policies in this designation:
 - (a) *Assisted Living Facilities;*
 - (b) *Community uses;*
 - (c) *Long Term Care Facilities.*

- (3) The height and density of uses within the Medium High Rise Residential designation shall be limited as shown on **Schedule 'B1' - Built Form** and as set out in section 3.4. For clarity, the following regulations apply:
 - (a) The minimum net residential density on any one site shall be 150 bedrooms per hectare, and the maximum gross residential density permitted on any one site may be established in the implementing Zoning By-law.
 - (b) The maximum height of any building shall not exceed 12 storeys.
- (4) To ensure properties are of sufficient size to accommodate medium high rise uses, lands designated Medium High Rise Residential shall have adequate frontage and/or flankage. The implementing Zoning By-law may contain minimum frontage and/or flankage requirements.
- (5) Lands designated Medium High Rise Residential may be zoned to permit offices, *medical clinics*, *convenience retail*, restaurants, *food stores*, child care centres, personal services, and *spiritual uses as ancillary uses*, subject to the implementing Zoning By-law setting out performance standards.

10.1.6 High Rise Residential Designation

Vision and Planned Function

The High Rise Residential designation is a category in which multiple residential buildings are the predominant use of land. This designation is intended to provide opportunities for substantial levels of *intensification*. Properties are to be developed primarily for residential purposes, although complementary and *ancillary* non-residential uses are also permitted. The aim of this designation is to encourage high density, *mixed-use*, primarily residential development in Major Nodes and Major Corridors.

Land Uses

- (1) Lands designated High Rise Residential as shown on **Schedule 'A' - Land Use Plan** will be zoned to permit multiple unit, high rise residential buildings.
- (2) In addition to the permitted use above, lands designated High Rise Residential may be zoned to permit the following complementary uses, subject to the provisions of this Official Plan, provided they do not impact the ability of the designated High Rise Residential area to achieve the vision and policies in this designation:
 - (a) *Assisted Living Facilities*;
 - (b) *Community uses*;
 - (c) *Long Term Care Facilities*.
- (3) The height and density of uses within the High Rise Residential designation shall be limited as shown on **Schedule 'B1' - Built Form** and as set out in section 3.4. For clarity, the following regulations apply:
 - (a) The minimum gross residential density on any one site shall be 150 *bedrooms* per

- hectare (or an equivalent as set out in the Zoning By-law), and the maximum gross residential density permitted on any one site may be established in the implementing Zoning By-law.
- (b) The maximum height of any building shall not exceed 30 storeys in the Uptown Waterloo Primary Node and Major Transit Station Area, and 25 storeys in all other Nodes and Corridors designated High Rise Residential.
- (4) To ensure properties are of sufficient size to accommodate high rise uses, lands designated High Rise Residential shall have adequate frontage and/or flankage. The implementing Zoning By-law may contain minimum frontage and/or flankage requirements.
 - (5) Lands designated Mixed-Use High Density Residential may be zoned to permit offices, *medical clinics, convenience retail*, restaurants, *food stores*, child care centres, personal services, and *spiritual uses as ancillary uses*, subject to the implementing Zoning By-law setting out performance standards.

10.2 COMMERCIAL AND MIXED-USE LAND USE POLICIES

The City will plan for an appropriate amount of commercial and *mixed-use* land uses to meet the needs of the City's residents, employees and businesses. A full range of commercial goods and services will be distributed throughout the community, with emphasis on providing day to day goods and services in close proximity to where people live and work, in accordance with the goals of creating *complete communities*. The City will plan for transit and *pedestrian*-supportive commercial development, wherever possible, while also planning for automobile-oriented commercial *development* in appropriate locations. All commercial and *mixed-use development* shall be consistent with the City's urban design objectives and policies as set out in this Plan and supporting implementation documents.

Providing convenient access to local goods and services is intended to reduce trip length for all modes of travel within our community, in turn reducing impacts on the natural environment while enhancing public health and social interaction. A key component of this involves planning for convenient local neighbourhood shopping, including access to small to mid-size *food stores*.

This Plan creates a comprehensive commercial and *mixed-use* framework for this community through the establishment of a series of commercial and *mixed-use* land use designations, where each category is intended to fulfill a distinct commercial and community function. These functions are described through the policies of this chapter.

The city is served by three primary commercial and retail clusters, identified as Uptown Waterloo, the Conestoga Commercial Centre, and the Westside Commercial Area (the Boardwalk). These three primary commercial clusters will be supported by several mixed-use areas located along key Corridors, Nodes and Major Transit Station Areas. Convenience and Corridor Commercial areas will further distribute commercial function opportunities

throughout the city, and allow all neighbourhood areas to meet the goals of *complete communities*.

In addition to planning for a range of commercial retail, office and service commercial uses, this Plan provides for additional uses to be considered as complementary or *ancillary uses*. These include *community uses*, residential, institutional, entertainment and accommodation uses as outlined in the policies of this chapter.

10.2.1 General Policies

Overview of Commercial and Mixed-Use Land Use Structure

- (1) Lands designated commercial are shown on **Schedule 'A' – Land Use Plan**. The commercial designation is further divided into a series of commercial and *mixed-use* areas shown on **Schedule 'A1' – Commercial and Mixed-Use Land Uses**. Commercial land use designations serve a range of functions as described in the policies of this chapter and are summarized as follows:
 - (a) **Primary Commercial and Retail Clusters:**
 - (i) Uptown Mixed-Use Core
 - (ii) Conestoga Commercial Centre
 - (iii) West Side Mixed-Use Commercial Centre
 - (b) **Nodes, Corridors and Major Transit Station Area Commercial:**
 - (i) Mixed-Use Community Commercial
 - (c) **Neighbourhood and Specialty-Serving Centres and Areas**
 - (i) Convenience Commercial
 - (ii) Corridor Commercial

Primary Permitted Uses

- (2) Within the Commercial and Mixed-Use land use designation, the predominant use of land is commercial and/or *mixed-use* and the designation envisions a broad range of uses including retail, office, and service uses. It is not the intent of this Plan to permit all commercial uses in every commercial designation and permitted uses within individual commercial categories will be further defined in the following Section 10.2.2 of this Plan and in the Zoning By-law.

Complementary and Ancillary Uses

- (3) Complementary uses may be permitted as freestanding uses on a site provided their function will not conflict or interfere with the satisfactory operation and development of the area for primarily commercial purposes. Complementary uses will be defined for individual commercial land use categories designations. Complementary *community uses* on or adjacent to lands designated commercial facilitate *complete communities* and are encouraged where appropriate.

- (4) A range of *community uses* shall generally be permitted as complementary uses on lands designated Commercial, subject to the policies of this Plan and the provisions of the Zoning By-law. *Community uses* are places, facilities, amenities and services to support the health, educational, recreational, social and cultural needs of the community.
- (5) *Ancillary* uses may be permitted as secondary uses within a *mixed-use* building. *Ancillary* uses will be defined for individual commercial land use designations.
- (6) *Development* of Commercial and Mixed-Use designated areas will primarily consist of *mixed-use* buildings. For larger sites, and *development* that includes multiple buildings on the same site, the City may consider the *development* of *mixed-use* sites, where some buildings may be a stand-alone single use. Where *mixed-use* sites are contemplated, *development* will remain focused on creating active and *pedestrian* oriented streetscapes.
 - (a) Notwithstanding policy 10.2.1(6), some designations and/or specific policies of this Plan may require *mixed-use* buildings only or limit the scale and scope of single use buildings to ensure desired commercial functions are achieved.
 - (b) Notwithstanding policy 10.2.1(6) stand alone and single use commercial uses will continue to be permitted on existing commercial and mixed use designated sites.

Residential Uses Within Commercial Designations

- (7) Residential uses may be permitted on lands designated Commercial and Mixed-Use, subject to the requirements set out in individual Commercial and Mixed-Use land use designations. The height of residential uses permitted within Commercial and Mixed-Use designations are shown on **Schedule 'B1' - Height and Density** of this Plan and shall be regulated as set out in policy 3.4 of the City Form Chapter.
- (8) Notwithstanding policy 10.2.1 (6), the maximum building floor area and the location of such floor area for residential uses permitted within a Commercial and Mixed-Use designation may be further regulated and outlined in the policies relating to each individual commercial designation.
- (9) The location of proposed residential uses permitted within Commercial and Mixed-Use designations shall be conform to the land use compatibility policies set out in Chapter 8 and be consistent with any applicable *Provincial* policy or guideline.
- (10) *Special needs* housing will be permitted in commercial and *mixed-use* areas which permit residential uses, subject to the provisions of the implementing Zoning By-law.

Drive-through Facilities in Commercial and Mixed-Use Designations

- (11) Drive-through facilities are normally associated with restaurants, banks and other

commercial uses. Lands designated Commercial and Mixed-Use outside of the Uptown Commercial Mixed-Use Core may permit drive-through facilities in association with permitted uses. Provisions to permit and/or regulate drive-through facilities will be included in the City's implementing Zoning By-law. Where permitted by way of the Zoning By-law, drive-through facilities shall be subject to approval of a *site plan* application. In the review of such applications, particular attention shall be given to sites which abut residential uses, with an objective of mitigating impacts on residential uses.

Location of Retail Commercial Centres

- (12) New *retail commercial centres* will be required to locate in the Uptown Primary Node, Major Transit Station Areas, or designated Nodes, provided such Nodes are located along or at key intersections of Transit Corridors as defined in the Regional Official Plan.
- (13) *Development* applications, excluding *site plan* applications, to establish a new *retail commercial centre*, or expand an *existing* development into a *retail commercial centre*, will be in conformity with all applicable policies of this Plan and the Regional Official Plan and will be subject to Regional approval of a Transportation Impact Study in accordance with Regional Official Plan policy 5.A.25.
- (14) New *retail commercial centres* exceeding 42,000 square metres of gross floor area, or the expansion of an *existing retail commercial centre* to a gross floor area exceeding 42,000 square metres, will only be permitted within the Uptown Waterloo Primary Node, Major Transit Station Areas or designated Nodes. Applicable *development* applications, excluding *site plan* applications, will be in conformity with the policies of this Plan and the Regional Official Plan, will be subject to the complete *development* application policies of this Plan and will be subject to Regional approval of:
 - (a) a Transportation Impact Study in accordance with Regional Official Plan policy 5.A.25;
 - (b) a Retail Impact Analysis demonstrating that the proposed development does not adversely affect the planned function of any Primary Node (including a Township Primary Node), or Major Transit Station Area;
 - (c) a land use study demonstrating how the proposed *development* application, excluding *site plan* applications, supports the Planned Community Structure of the Regional Official Plan; and,
 - (d) a water and wastewater servicing plan demonstrating that the proposed development application, excluding site plan applications, can be adequately serviced.

10.2.2 Commercial Land Use Designations

10.2.2.1 Uptown Mixed-Use Core Designation

Vision and Planned Function

The Uptown Mixed-Use Core designation, as shown on **Schedule 'A1' - Commercial Land Uses** serves as one of the three principle commercial and retail clusters in the city. Lands designated as Uptown Mixed-use Core form the City's Primary Node. Specifically, the area is planned to function as a community focal point to serve as a government, institutional and cultural centre for the city, supported by regional-serving retail, office, entertainment, recreation and tourism activities together with residential uses. This Plan recognizes the importance of a *food store* in the Uptown Mixed-Use Core. The Uptown Mixed-Use Core designation will be planned to accommodate *mixed-use development* that includes commercial, employment and residential uses in a broad range of forms.

Built Form

The Uptown Mixed-Use Core is located within the Uptown Waterloo Primary Node. Consistent with the policies in section 3.7 of this Plan, the Uptown Mixed-Use Core will be planned to provide for a vibrant and human-scaled environment, with a range of uses providing support for public transit and other transportation alternatives to the automobile. Architectural integrity, heritage *conservation* and opportunities to improve access to open space will be key considerations in planning for the growth of a vital Uptown Mixed-Use Core.

Land Uses

- (1) Lands within the Uptown Mixed-Use Core shall be designated Commercial as shown on **Schedule 'A' - Land Use Plan** and indicated more specifically as Uptown Mixed-Use Core on **Schedule 'A1' - Commercial Land Uses**.
- (2) The height and density of uses within the Uptown Mixed-Use Core shall be limited as shown on **Schedule 'B1' - Built Form** and as set out in section 3.4, and Table 3-1. Density may be limited in accordance with the implementing Zoning By-law.
 - (a) For new *development* on lands immediately abutting King Street South between William Street East and Union Street West, a minimum building height of 2 storeys shall be required as outlined in policy 3.7.2(4).
- (3) Lands designated Uptown Mixed-Use Core shall be zoned to permit a broad range of commercial, employment, entertainment, accommodation, institutional, residential and *community uses*, including:
 - (a) Retail uses;

- (b) Commercial services;
 - (c) Personal service uses;
 - (d) Office uses;
 - (e) *Medical Clinics and medical offices*;
 - (f) Banks and financial services;
 - (g) Restaurants including Nanobrewery;
 - (h) Entertainment uses;
 - (i) Residential uses, provided the residential uses are located above the ground floor in a multi-storey, *mixed-use* building;
 - (j) Hotel;
 - (k) *Community uses*;
 - (l) Child care centre;
 - (m) Arts, cultural, recreational uses;
 - (n) Institutional uses;
 - (o) Academic uses;
 - (p) *Spiritual uses*;
 - (q) Commercial school;
 - (r) Structured parking facilities;
 - (s) *Bed and breakfast establishments*; and,
 - (t) Other similar uses consistent with the vision and policies of this designation.
- (4) Lands designated Uptown Mixed-Use Core may be zoned to permit a range of complementary uses, provided such uses are compatible with the planned function and policies of this designation, and do not restrict the *development* of the primary permitted uses, and may include:
- (a) *Community uses*;
 - (b) *Spiritual uses*;
 - (c) Institutional uses;
 - (d) *Urban agriculture*; and,
 - (e) Structured parking facilities.
- (5) Lands designated Uptown Mixed-Use Core may be zoned to permit the following *ancillary* uses in a multi-storey *mixed-use* building containing office and/or residential uses:
- (a) Retail uses and commercial services, provided such uses are street-facing, are located on the ground floor of a multi-storey *mixed-use* building, and that the building floor area for retail uses is subordinate and incidental to the total building floor area in which the retail commercial uses are located, as regulated through the implementing Zoning By-law;
 - (b) Restaurants, provided the total building floor area for all restaurant uses is subordinate and incidental to the total building floor area in which the restaurant uses are located, as regulated through the implementing Zoning By-law.
 - (c) *Community Uses* provided such uses are street-facing as regulated through the

implementing Zoning By-law.

- (6) Municipal decisions shall have regard to the retention and enhancement of *food stores* in the Uptown Mixed-Use Core, and such decisions should not knowingly place *existing food stores* at risk.
- (7) To protect and enhance the *pedestrian*-oriented nature of lands designated Uptown Commercial Core within the Uptown Waterloo Primary Node, lands designated Uptown Mixed-Use Core shall not be zoned to permit drive-through facilities. Proposals to permit drive-through facilities within this designation will be subject to concurrent applications for a Zoning By-law Amendment and *Site Plan* Control and will only be supported where it can be demonstrated that such uses would not interfere with the intended form and function of this designation and Uptown Waterloo Primary Node as defined in the policies of this Plan, giving specific consideration to Section 3.7 and the urban design policies of this Plan.

10.2.2.2 Conestoga Commercial Centre Designation

Vision and Planned Function

The Conestoga Commercial Centre is one of three primary retail and commercial clusters in the city. This Plan recognizes that lands generally bounded by King Street North, Conestoga Road, Davenport Road, Kingscourt Drive and the Conestoga Parkway as the Conestoga Commercial Centre as shown on **Schedule 'A1'- Commercial Land Uses**. Lands designated Conestoga Commercial Centre represent a key commercial and employment component of the designated Major Node and Major Transit Station Area, and will primarily consist of retail, service, entertainment and office establishments. As a commercial destination within the City and Region, lands within the Conestoga Commercial Centre designation will be well-served by transit, and designed with regard to safe and convenient *pedestrian* and cyclist travel to, from and within the site.

Land Use

- (1) Lands within the Conestoga Commercial Centre designation shall be designated Commercial as shown on **Schedule 'A'- Land Use Plan** and indicated more specifically as Conestoga Commercial Centre on **Schedule 'A1'- Commercial Land Uses**.
- (2) The height and density of uses within the Conestoga Commercial Centre designation shall be limited as shown on **Schedule 'B1'- Built Form** and density shall be limited in accordance with the implementing Zoning By-law.
- (3) Lands designated Conestoga Commercial Centre shall be zoned to permit a range of commercial and employment uses, and may include the following primary uses:

- (a) Retail uses;
 - (b) Commercial services;
 - (c) Personal service uses;
 - (d) Entertainment uses;
 - (e) Office;
 - (f) *Medical Clinics and medical offices*;
 - (g) Banks and financial services; and,
 - (h) Restaurants.
- (4) Lands designated Conestoga Commercial Centre may be zoned to permit a range of complementary uses, provided such uses are compatible with the planned function and policies of this designation and do not restrict the development of the primary permitted uses, and may include:
- (a) Accommodation services;
 - (b) *Community uses*;
 - (c) Child care centre;
 - (d) Automobile gas and/or service station;
 - (e) Structured parking facility;
 - (f) Commercial recreation;
 - (g) Commercial school;
 - (h) *Urban Agriculture*;
 - (i) Residential uses; and,
 - (j) Arts, cultural, recreational uses.

Development Policies for lands designated Conestoga Commercial Centre

- (5) Development within the Conestoga Commercial Centre, excluding offices, should maintain a minimum gross floor area of 36,000 square metres as a commercial destination within the city and region.
- (a) For the purpose of this policy and policy 10.2.2.2(6), non-retail uses and spaces shall not be included in the calculation of gross floor area.
- (6) Certain lands within the area designated Conestoga Commercial Centre have developed collectively as a regional-scale shopping centre and are known commonly as 'Conestoga Mall'. For these lands, the following additional policies shall apply:
- (a) The 'Conestoga Mall' lands shall be developed in accordance with and pursuant to satisfactory plans and agreements concerning development control, and provisions satisfactory to the City with respect to municipal and other services and utilities including transportation improvements, stormwater management, site servicing improvements, *pedestrian* and cyclist access and sidewalks, other community amenities, costs and responsibilities for work, timing of development, and performance standards and their timing of implementation; and,
 - (b) The implementing Zoning By-law shall limit gross floor area for primary

permitted uses, excluding offices and *medical clinics*, to 62,000 square metres. Future phases of expansion beyond 62,000 square metres of gross floor area shall require an amendment to the Zoning By-law supported by retail market impact, transportation impact, and site servicing studies to the satisfaction of the City of Waterloo. A peer review of the retail market impact, transportation impact, and/or site servicing study may be required at the discretion of the City of Waterloo. The retail market impact study shall justify the ultimate proposed gross floor area for the site. No amendment to this Plan will be required.

- (c) Residential uses shall be permitted on the Conestoga Mall lands. Any *development* containing residential uses on the Conestoga Mall lands shall facilitate the creation of *pedestrian* focused areas and streetscapes, compliance with all applicable policies and this Plan, and conformity to applicable regulations in the implementing Zoning By-law.

10.2.2.3 Mixed-Use Community Designation

Vision and Planned Function

Lands designated Mixed-Use Community Commercial are intended to be *mixed-use* centres that serve as community focal points and commercial destinations for the surrounding community, nearby residential neighbourhoods and/or business areas. Located within Nodes, Corridors, and Major Transit Station Areas lands designated Mixed-Use Community shall be planned at various scales, and be of sufficient size to accommodate a range of uses.

It is the intent of this Plan that the Mixed-Use Community designated area will facilitate safe and convenient *pedestrian* and cyclist travel to/from and within the *mixed-use* area, and to be well-served by transit. Residents will be able to obtain commercial goods and services, and employment opportunities, at a community scale and at the local level.

Mixed-Use Community areas will include a range of commercial, retail and services uses, as well as allow *community uses* and residential uses as complementary uses. This Plan also envisions *food stores* of various sizes and scales anchoring Mixed-Use Community areas. Taken together, the range of mixed uses and the *pedestrian*, cycling and transit focused nature of the area will enable *complete communities*.

Lands designated Mixed-Use Community will be planned to have a strong commercial focus. The policies of this Plan as well as the Zoning By-law will include provisions to ensure that a minimum amount of commercial space is provided within areas designated Mixed-Use Community.

Where *existing* commercial shopping centres form the centre of *mixed-use* communities, this Plan will ensure the continuation, and potential expansion of, this core commercial function. It is the intent of this Plan that these clusters of properties will also continue to evolve to include a broader mix of uses, including residential and *community uses*. Commercial and

service uses, *community uses*, offices, and select employment uses will predominantly comprise the ground floor and lower storeys of *mixed-use* buildings within this designation to foster active and vibrant streetscapes, and to maintain the commercial planned function. Residential uses where permitted through zoning, will generally be located in storeys above the ground floor within multi-storey, *mixed-use* buildings.

Land Use

- (1) Mixed-Use Community areas shall be designated Commercial as shown on **Schedule 'A'- Land Use Plan** and indicated more specifically as Mixed-Use Community on **Schedule 'A1'- Commercial Land Uses**.
- (2) The height and density of uses within the Mixed-Use Community designation shall be limited as shown on **Schedule 'B1' - Built Form** and as set out in section 3.4, and density shall be limited in accordance with the implementing Zoning By-law.
- (3) The Mixed-Use Community designation shall be zoned to permit a range of commercial, personal services, office, select light employment, and residential uses, and may include the following primary uses:
 - (a) Retail uses;
 - (b) Commercial services;
 - (c) Personal service uses;
 - (d) Offices;
 - (e) Accommodation uses, where located in a Primary or Major Node, Major Corridor or Major Transit Station Area;
 - (f) *Medical clinics* and *medical offices*;
 - (g) Banks and financial services;
 - (h) Residential uses in accordance with policy 10.2.2.3 (7); and,
 - (i) Restaurants.
- (4) Mixed-Use Community designated areas located in Minor Nodes or Minor Corridors shall generally be zoned to permit a range of small to mid-size commercial and mixed uses.
- (5) In addition to policy 10.2.2.4 (3), *food stores* are permitted and encouraged within lands designated Mixed-Use Community.
 - (a) Notwithstanding policy 10.2.2.4 (5), where the Mixed-Use Community designation is located within a Minor Node or a Minor Corridor as shown **Schedule 'B' – City Structure**, new *food stores* may be permitted to a maximum of 8,000 square metres.
- (6) Lands designated Mixed-Use Community may be zoned to permit a range of complementary uses, provided they do not restrict the development of primary uses and are not obnoxious by reason of noise, vibration, odour or smoke. Complementary

uses should be located within *mixed-use* buildings unless demonstrated to the satisfaction of the City that being part of a *mixed-use* building would not be feasible or desirable. Complementary uses may include:

- (a) *Community uses*;
 - (b) Child care centres;
 - (c) Entertainment facilities;
 - (d) Commercial recreation;
 - (e) Commercial school;
 - (f) Arts, cultural, recreational uses;
 - (g) *Urban agriculture*;
 - (h) select light employment uses as set out in the Zoning By-law;
 - (i) Automobile gas and/or service station, and/or vehicle charging station; and
 - (j) Structured parking facilities and/or secured bicycle storage facilities.
- (7) Lands designated Mixed-Use Community may be zoned to permit primarily residential buildings provided the ground floor includes active uses as set out in the Zoning By-law, and provided further that:
- (a) Parking required for residential uses will be encouraged to be provided in a parking structure; where feasible, parking should be located underground;
 - (b) The Zoning By-law will define performance standards specific to residential development, including but not necessarily restricted to location, amenity space, density, and parking regulations;
 - (c) Freestanding residential uses may be permitted through a comprehensive municipal zoning process or through a site-specific Zoning By-law Amendment application where it is determined by the City through either process that freestanding residential uses are feasible and appropriate and that the commercial planned function of the centre or area will not be adversely impacted. Such residential development shall only be considered where lands are of sufficient size to accommodate multiple buildings, including one or more buildings adjacent to the street devoted primarily to retail, service commercial and/or office commercial uses.
 - (d) Where new residential uses are proposed on sites with existing commercial uses, the planned function of the commercial component should be retained. Proponents shall address the retention of the commercial planned function as part of a planning justification report, to the satisfaction of the City.
 - (e) Where a proposed redevelopment would result in a significant reduction (50% or greater reduction) of commercial space, a commercial market study shall be required to ensure that there will be sufficient commercial/service facilities to support the surrounding community and the commercial planned function is appropriately maintained.
- (8) Lands designated Mixed-Use Community and located along King Street or along the *rapid transit* corridor are priority commercial streets. Active uses from any combination of ground floor commercial, restaurant and retail uses, *community uses*,

office uses and/or personal service uses shall be required along the ground floor of *mixed-use* buildings oriented towards the street or transit corridor. The implementing Zoning By-law shall require a minimum height for the ground floor of new *mixed-use* buildings for priority retail streets so as to ensure an active street frontage is enabled.

- (9) Lands designated Mixed-Use Community located in a Major Node as identified on Schedule 'B' shall include a target minimum of 10,000 square metres of gross floor area devoted to non-residential (commercial, office and select light employment) uses, located over the entire Node area designated Mixed-Use Community rather than on individual properties, provided further that:
 - (a) The implementing Zoning By-law may limit gross floor area devoted to primary uses, based on land area, site constraints, or other planning considerations;
 - (b) Commercial space is intended to facilitate vibrant *mixed-use* areas that meet the day-to-day and special commercial needs of area residents, employees, and the broader community.
 - (c) Ground floor commercial spaces shall be planned as convertible spaces to meet the current and potential future needs of area residents, employees, and the broader community.
- (10) The following additional provisions related to gross floor area apply to lands designated Mixed-Use Community:
 - (a) With respect to the lands designated Mixed-Use Community Commercial at:
 - (i) the Westmount Road/Erb Street West intersection;
 - (ii) the King Street North/Weber Street North intersection; and,
 - (iii) the Bridgeport Road East/Weber Street intersection, it is the intent of this Plan that more than half of the gross floor area of primary permitted uses, excluding office, will be provided on the site or area historically planned as a shopping centre. The implementing Zoning By-law may apply minimum and maximum floor space caps for gross floor area of primary permitted uses, excluding offices, to be permitted on the shopping centre site to ensure that the commercial planned function is achieved. The implementing Zoning By-law may also apply floor space caps, using gross floor area as a measure, on the remaining lands within the cluster.
 - (b) The lands designated Mixed-Use Community Commercial in the area of University Avenue West and Phillip Street include multiple properties that have historically been planned as neighbourhood- oriented shopping centres (shopping centre sites). It is the intent of this Plan that the gross floor area requirements of this designation will be achieved by equitably distributing primary uses amongst the shopping centre sites. To achieve this, the implementing Zoning By-law may apply minimum and maximum floor space caps to the shopping centre sites, using gross floor area as the measure, to ensure that the commercial planned function is achieved. In the application of minimum and maximum floor space caps, regard shall be had to land area, site constraints, historic permissions on each of the sites, or other factors as

determined by the City.

- (c) The lands designated Mixed-Use Community Commercial at the King Street North/University Avenue intersection are comprised of a cluster of numerous, individually managed properties. The provisions of policy 10.2.2.3 (9), regarding gross floor area, shall not apply to these lands.
- (11) The Mixed-Use Community designation applies to clusters of properties within a Node that are contemplated to redevelop over time, and as such, it is the intent of this Plan that such *redevelopment* occur in a manner that is comprehensively planned, creates connectivity and integration between the sites within the designation, creates a *sense of place* and is consistent with the following principles:
- (a) *Mixed-use*, compact, and higher density development is strongly encouraged;
 - (b) Buildings shall be designed with a high quality of architecture and urban design, with complementary and inviting green/landscape features;
 - (c) Buildings shall be oriented toward the street to the extent possible.

King Street North/University Avenue Area

- (12) This Plan designates the area located generally at the intersection of King Street North and University Avenue as Mixed-Use Community as shown on **Schedule 'A1' – Commercial Land Uses**. The area is unique compared to other areas designated Mixed-Use Community in that it has not historically been planned and designed to include a large single site or sites that accommodate a commercial shopping centre as a focal point. Rather, this area is comprised of a group of individually managed properties that function collectively as a *mixed-use* area to serve the commercial needs of the community and in particular, surrounding neighbourhoods and post-secondary educational institutions, in a less intense manner than the Uptown Core. Given the unique planning for this area, 10.2.2.3 (13) through 10.2.2.3 (15) have been incorporated into this Plan to provide further guidance for development in this area, and to aid in the creation of appropriate implementing zoning regulations for lands designated Mixed-Use Community in the King Street North and University Avenue Area.
- (13) For lands designated Mixed-Use Community within the King Street North and University Avenue area, this Plan contemplates predominantly *mixed-use*, multi-storey buildings with:
- (a) A range of commercial uses, including office, located on the ground and lower floors;
 - (b) Employment uses and/or residential uses in storeys above the ground floor.
- (14) A high standard of urban design will be achieved for development on lands designated Mixed-Use Community within the King Street North and University Avenue area, resulting in a coordinated and unified design theme. Site development and improvements within the public realm shall place a priority on accommodating

comfortable and convenient travel to and within the King/University area, including the provision of integrated *pedestrian* and cyclist facilities.

- (15) Notwithstanding the provisions of policy 10.2.2.3(7) and 10.2.2.3(3), for areas not directly abutting King Street North or University Avenue, freestanding residential uses may be permitted in the implementing zoning, provided further that:
- (a) Required parking will be encouraged to be provided in a parking structure;
 - (b) The Zoning By-law will define performance standards related to residential development, including but not necessarily restricted to location, amenity space, density and parking regulations.

10.2.2.4 West Side Mixed-Use Commercial Centre Designation

Vision

The West Side Mixed-Use Commercial Centre is one of three primary retail and commercial clusters and a unique commercial area in the City of Waterloo. Recognized as a Major Node within the City Structure, the West Side Mixed-Use Commercial Centre will be planned to permit a range of commercial uses, including retail, entertainment, Arterial Commercial uses and offices primarily serving the west side of the City. As an important focus and function, the West Side Mixed-Use Commercial Centre area will include office uses to create a well-balanced and integrated, *mixed-use* commercial and employment centre. The Centre is intended to provide a destination for employment, shopping and transit supportive development on Regional arterial *roads* designed to provide efficient transportation access to the site. The West Side Mixed-Use Commercial Centre area will also include opportunity for larger retail and entertainment uses, and also, include a limited amount of retail and personal service uses to serve a more local area. Together, these uses will be planned and developed to create an integrated and coordinated commercial and employment cluster based on a high standard of *urban design* promoting an urban experience, *pedestrian* and cycling activity, sustainable development, and other design objectives set out in implementing design guidelines. The West Side Mixed-Use Commercial Centre will contribute to a comprehensively planned and balanced commercial land use structure in the City, and shall not undermine the structure by having a significant detrimental impact to existing and future planned commercial areas.

Land Use

- (1) Lands within the West Side Mixed-Use Commercial Centre shall be designated Commercial as shown on **Schedule 'A'- Land Use Plan** and as Mixed-Use Commercial Centre is contemplated in the City, as shown on **Schedule 'A1'- Commercial and Mixed-Use Land Uses**.
- (2) The height and density of uses within the West Side Mixed-Use Commercial Centre shall be limited as shown on **Schedule 'B1', Built Form** and as set out in section 3.4,

and density shall be limited in accordance with the implementing Zoning By-law if residential is determined to be an appropriate use on the lands.

- (3) The West Side Mixed-Use Commercial Centre designation will permit the following primary uses:
 - (a) Retail uses, subject to the prohibited uses as outlined in policy 10.2.2.4(5) below;
 - (b) Office;
 - (c) Entertainment uses;
 - (d) Personal service uses; and,
 - (e) Restaurants.
- (4) Lands designated West Side Mixed-Use Commercial Centre may permit a limited range of complementary uses (including but not limited to parking facilities, open space, recreation and cultural facilities and *urban agriculture*), provided they do not restrict the development of the primary use of the lands for commercial purposes subject to the implementing Zoning By-law.

Development Policies for the West Side Mixed-Use Commercial Centre

- (5) To maintain the planned function of the City of Waterloo commercial and *mixed-use* structure, it shall be the policy of this Plan to only permit one West Side Mixed-Use Commercial Centre designation in the City as shown on **Schedule 'A1' – Commercial Land Uses**. It is a policy of this Plan that the West Side Mixed-Use Commercial Centre designation as shown on Schedule 'A1' shall not expand.
- (6) This Plan recognizes the commercial area located at the northwest corner of Ira Needles Boulevard and University Avenue as the West Side Mixed- Use Commercial Centre. This area shall be developed in a less intense manner than the Uptown Waterloo Primary Node and more intense than the Corridor Commercial designation of this Plan.
- (7) The West Side Mixed-Use Commercial Centre designation shall allow for a range of land uses. However, Official Plan policies, implementing zoning, and development agreements shall be used to ensure a *mixed-use* function is established with a balance of office, retail, entertainment and personal service uses, and to ensure that the overall planned function of the commercial land use structure is maintained.
- (8) Development within or abutting the lands designated West Side Mixed- Use Commercial Centre shall not have an unacceptable impact on planned commercial areas/centres in the City, thereby maintaining the planned function of such commercial areas within the Commercial and Mixed-use land use planning framework.
- (9) The West Side Mixed-Use Commercial Centre shall be comprehensively planned with regard to the development of adjacent/contiguous Employment lands as designated

on **Schedule 'A' - Land Use Plan**, to secure a range of significant employment uses.

- (10) This Plan promotes *mixed-use*, multi-storey buildings with a range of commercial uses located on the ground floor and employment uses located above the ground floor.
- (11) The City shall regulate, through Official Plan policies (See Area Specific Policy 31) and implementing Zoning By-law, the size and scale of development, including minimum and maximum unit sizes, specific retail merchandise categories, and development phasing, to establish and maintain a *mixed-use* function of the site and to maintain the planned function of the City's commercial and *mixed-use* areas.
- (12) A high standard of urban design shall apply to all development within the West Side Mixed-Use Commercial Centre designation and shall result in a coordinated and unified design theme. Site development shall include a high standard of site amenities and features such as enhanced perimeter landscape treatment, internal landscape areas and amenity spaces, integrated *pedestrian* and cyclist facilities and a centralized outdoor amenity space.
- (13) Development shall be subject to municipally-approved Urban Design Guidelines, including any specific guidelines for the lands designated West Side Mixed-Use Commercial Centre. Urban design guidelines will provide a basis for *site plan* review and approval and will implement the policies of this Plan.
- (14) Planning mechanisms available to the City and any approval authority having jurisdiction, including the Zoning By-law, urban design guidelines, development agreements, and *site plan* control shall be used to implement the policies of this Plan applicable related to the West Side Mixed-Use Commercial Centre designation.

10.2.2.5 Convenience Commercial Designation

Vision

Lands designated Convenience Commercial shall be planned to accommodate one or more retail or service establishments in a small-scale centre or area and are intended to help meet the day to day needs of nearby neighbourhood and/or business areas through the provision of a range of convenience goods and services. Such centres or areas may be used solely for commercial purposes or may incorporate residential uses in *mixed-use* buildings, provided the primary commercial function of the lands is maintained. The Convenience Commercial designation will help facilitate the goals of establishing *complete communities* and may serve as the focus area of adjacent neighbourhood areas.

Areas designated Convenience Commercial will have a strong *pedestrian* and cyclist focus and be well connected to the surrounding local neighbourhood. Such facilities will be planned to provide opportunities for residents to obtain commercial goods and services within a

reasonable walking and cycling distance, thereby reducing the need for automobile trips and fostering social interaction. To realize the *pedestrian*-oriented intent of Convenience Commercial facilities, such facilities should be located and designed to create a *sense of place* and destination within the neighbourhood, while ensuring that parking does not dominate the development.

Lands designated Convenience Commercial should be located near or adjacent to Arterial or Collector *roads*, generally outside of designated Nodes, and in close proximity to areas designated Residential. Convenience Commercial designations shall only be permitted in locations where such uses are considered compatible with existing or planned development.

This Plan recognizes that convenience-oriented goods and services will also be permitted outside of the Convenience Commercial designation, primarily on lands designated Residential and within *mixed-use* buildings that include residential uses as set out in the Section 10.1 of this Plan.

Land Use

- (1) Convenience Commercial areas shall be designated Commercial as shown on **Schedule 'A'- Land Use Plan** and indicated more specifically as Convenience Commercial on Schedule '**A1**'- **Commercial and Mixed-Use Land Uses**.
- (2) The height and density of uses within the Convenience Commercial designation shall be limited as shown on **Schedule 'B1'- Built Form** and as set out in section 3.4, and density shall be limited in accordance with the implementing Zoning By-law.
- (3) Lands designated Convenience Commercial shall be zoned to permit a range of small-scale commercial and office uses and may include the following primary uses:
 - (a) Small scale retail uses, provided that no individual unit shall exceed 300 square metres of gross floor area;
 - (b) Commercial services;
 - (c) Personal service uses;
 - (d) Banks and financial services;
 - (e) Restaurants;
 - (f) Offices;
 - (g) *Medical clinics and medical office*;
 - (h) Automobile gas station;
 - (i) Child care centre; and
 - (j) Commercial school.
- (4) Lands designated Convenience Commercial may be zoned to permit *community uses* as complementary uses of land provided their function will not conflict or interfere with the primary operation and development of areas for primary uses.

- (5) Lands designated Convenience Commercial may permit residential uses in storeys above the ground floor in a *mixed-use* building containing primary permitted use(s). Single-use residential buildings are not permitted in the Convenience Commercial designation.
- (6) Lands designated Convenience Commercial may permit drive-through facilities, subject to locational criteria that require such uses to abut Arterial Roads.
- (7) The gross floor area of ground floor uses in Convenience Commercial buildings shall not exceed 2,000 square metres, although this Plan recognizes that many such centres are developed with less than 1,000 square metres of ground floor gross floor area. Based on the context of the Convenience Commercial site and the scale of the surrounding neighbourhood, the Zoning By-law may limit the gross floor area of ground floor uses to less than 2,000 square metres, and may limit the size of individual commercial units. Individual units should generally be small in scale, with the intent that the majority of units would be less than 300 square metres in size, with provisions for an anchor tenant (or tenants, depending on the size of the centre) of up to 500 square metres in size.

10.2.2.6 Corridor Commercial Designation

Vision and Planned Function

The Corridor Commercial designation is intended to primarily accommodate commercial uses, generally located along or adjacent to Arterial Roads. Corridor Commercial uses generally include:

- (i) uses which require the transportation exposure and vehicular accessibility afforded by Arterial or similar functioning roads given their retailing of large or bulky goods, or provision of services related to large gatherings;
- (ii) uses which require large format buildings whose size requirements are such that they are not generally compatible, nor economically viable, in the Uptown Mixed-Use Core or other categories within the commercial and *mixed-use* land use structure; and,
- (iii) commercial uses which are automobile oriented and/or rely on business from the travelling public.

Corridor Commercial areas will be located outside of Major and Minor Nodes, and Major Transit Station Areas, but may be located in Corridors.

Land Use

- (1) Corridor Commercial areas shall be designated Commercial as shown on **Schedule 'A'- Land Use Plan** and indicated more specifically as Corridor Commercial on **Schedule 'A1'- Commercial Land Uses**.
- (2) The height of developments within the Corridor Commercial designation shall be

limited as shown on **Schedule 'B1'- Built Form.**

- (3) Lands designated Corridor Commercial shall be zoned to permit automobile-oriented commercial uses, large format commercial uses, offices, and commercial businesses that accommodate large gatherings, and may include the following primary uses:
 - (a) Retail uses, limited to automotive/vehicle related products and services, large or bulky goods such as furniture and domestic appliances, home entertainment goods, home improvement materials, hardware, nursery or garden supply products, office equipment; and the limited sale of goods in association with a wholesale use.
 - (b) Wholesale uses;
 - (c) Offices;
 - (d) Medical clinics and *medical office*;
 - (e) Accommodation uses;
 - (f) Restaurants;
 - (g) Entertainment uses;
 - (h) Commercial recreation;
 - (i) Automobile gas and/or service station and/or vehicle charging station;
 - (j) Banquet halls; and,
 - (k) Funeral homes.
- (4) For clarification, it is the intent of this Plan that a *food store* with a maximum size of 8,000 square metres and a *drug store* with a maximum size of 2,500 square metres may be permitted on lands designated Corridor Commercial. *Department stores* are not contemplated within the Corridor Commercial designation. *Development* of such uses would only be considered by way of an amendment to the Official Plan and Zoning By-law.
- (5) Limited personal service uses be permitted, and if permitted are encouraged to be oriented toward public streets. The Zoning By-law may limit the range and type of personal service uses, and the size of individual units.
- (6) Lands designated Corridor Commercial may be zoned to permit the following complementary uses, provided their function will not conflict or interfere with the primary operation and development of areas for Corridor Commercial purposes:
 - (a) *Community uses*;
 - (b) Institutional uses; and,
 - (c) Parking facility including secured bicycle storage facilities.

Development Policies for Corridor Commercial Areas

- (7) Development within lands designated Corridor Commercial shall only be permitted where adequate vehicular access and egress, off-street parking, and municipal services and public works required are available.

- (8) Development within Corridor Commercial areas will not necessarily have direct access to Regional or City arterial *roads*. Access to Regional *roads* requires Regional approval and may require a Regional entrance permit. Access to arterial *roads* under the jurisdiction of the City of Waterloo requires City approval, may require a City entrance permit, and shall be subject to the *Site Plan* Review process when *development* applications are submitted for consideration.
- (9) This Plan contemplates a high quality of *urban design* and aesthetically pleasing streetscapes in Corridor Commercial areas.
- (10) Development within Corridor Commercial areas that is adjacent to residential areas shall have regard to site design measures including buffers and screening to mitigate impacts from Corridor Commercial uses related traffic, parking and service areas to the extent possible.

10.2.3 Complete Development Application Requirements for Commercial Development Proposals

This Plan describes a system of commercial and *mixed-use* land use planning that defines how various commercial centres and areas are intended to function to meet the needs of the community and the planning objectives of the City. Specifically, planned commercial and *mixed-use* land uses are intended to provide for an appropriate distribution of adequate commercial opportunities, while avoiding an oversupply of facilities.

- (1) Where an amendment to this Plan and/or the Zoning By-law is required to permit the development of a new commercial land use or an expansion (in terms of floor area, land area or range of uses permitted) to an existing commercial land use, the City may require the submission of an independent and comprehensive professional analysis to assess the appropriateness, opportunities and implications of the proposal and to assess compliance with the policies and objectives of this Plan.
- (2) Where an amendment is required to permit the *development* of a large commercial and *mixed-use* site greater than five hectares, the City may require the submission of an independent and comprehensive professional analysis to assess the appropriateness, opportunities and implications of the proposal, and to assess compliance with the policies and objectives of this Plan. Maintaining the commercial function will be the primary objective of any *redevelopment* for the City.
- (3) Requirements for information to be submitted as part of the comprehensive professional analysis referred to in policy 10.2.3 (1) and (2) may be determined through the pre-submission consultation process and shall include consideration of the following:
 - (a) Planning Assessment – Consideration of how the proposal would function within

the City's defined commercial and *mixed-use* land use structure and would address the objectives of this Plan relative to providing for the appropriate distribution of facilities to meet the needs of the community while avoiding an oversupply of facilities. Specific consideration should be given to the relationship between the proposal and the Uptown Waterloo Primary Node to ensure that the proposal does not impact the ability of the Uptown Waterloo Primary Node to fulfill its intended planned function. In addition, the assessment should consider how the proposal may address the objectives and policies of this Plan which speak to providing for locally serving *pedestrian*-oriented facilities that have a neighbourhood focus and can support the reduction of vehicle trips.

- (b) Servicing Assessment – Indicating that adequate sanitary sewer, water and storm drainage services are available to accommodate the proposed development
- (c) Transportation Assessment –The applicant may be required to provide a Transportation Impact Study to the satisfaction of the City of Waterloo and to the satisfaction of the Region of Waterloo where the development would access onto a *Regional Road*. The Study is to be prepared in conformity with the Transportation System policies of this Plan and will assess the transportation demands, impacts and opportunities associated with a proposed development.
- (d) Commercial Impact Analysis – For *development* applications, excluding *site plan* applications, which include proposals for retail commercial uses of 5,000 square metres of gross floor area or greater, or where a proposal involves a change to the type or scale of retail commercial uses contemplated within a designation, the City, at its discretion, may require the applicant to submit a Commercial Impact Analysis. This City will not support proposals solely on the basis of the conclusions of a Commercial Impact Analysis. The weight of such studies shall only extend to assessing whether the proposal can proceed on the basis of market demand without having a negative impact on the planned function of the commercial and *mixed-use* areas designated in this Plan.
 - (i) Where a Commercial Impact Analysis is required, the study shall have specific regard to the planned function of the Uptown Waterloo Primary Node, including the growth targets for retail and service commercial uses defined in policy 3.7.1 (10) of the City Form Chapter and should ensure that the proposed development does not impede the ability of the Uptown Waterloo Primary Node to achieve the defined targets.
 - (ii) Where a Commercial Impact Analysis is required, the City may retain, at the applicant's expense, a qualified consultant to assist the City in defining the methodology and terms of reference for the Commercial Impact Analysis, peer review the applicant's submission, and provide professional conclusions and recommendations to the City. The requirement for a Peer Review will be identified between the City and the applicant and it is expected that the applicant's consultant and the peer review consultant will collaborate to develop a mutually agreeable terms of reference.

- (e) Other studies as may be identified by the City through the voluntary pre-submission consultation process.

OPA No. 34, approved October 28, 2022

10.2.4 Urban Design for Lands Designated Commercial

- (1) Commercial and *Mixed-Use development* shall be subject to the Urban Design policies of this Plan and implementing urban design guidelines approved by the City including the City's Urban Design Manual, Development Manual and Council approved project guidelines. In addition, the following design policies shall be considered for commercial development:
 - (a) As a general principle, building entrances and windows shall be oriented to the street to enhance street activity, interest and provide eyes on the street. In limited circumstances where building entrances or windows cannot be provided, a high level of building design and articulation shall be provided to create interest along the street.
 - (b) Rooftop mechanical equipment should be screened from public view or located outside of public view.
 - (c) Dedicated *pedestrian* walkways shall be provided on sites with multiple commercial buildings to provide convenient and direct access from parking areas to major destinations including the primary building entrances, amenity spaces, public *roads* and transit routes.
 - (d) On sites with multiple commercial buildings, building facades shall be designed in a coordinated manner including the use of similar building materials, colours, textures and architectural elements.
 - (e) Where commercial uses are proposed adjacent to residential areas, enhanced landscape buffers shall be provided along yards abutting residential properties (*existing* or planned). In addition, structures, traffic, parking, loading and service areas are to be screened and buffered so that noise, light and other undesirable effects emanating from the commercial land use are minimized.
 - (f) Predevelopment groundwater infiltration rates are to be maintained to the extent possible, where feasible and appropriate. Infiltration measures shall minimize the risk of contamination to the groundwater, to the satisfaction of the City.
 - (g) Where appropriate, the Zoning By-law may require ground floor building heights to be a minimum of 4 metres or more to allow for convertible frontages and active uses at ground level.

10.3 EMPLOYMENT LAND USE POLICIES

The City will plan land uses to allow for an appropriate mix and broad range of employment opportunities to meet the needs of the city's employees, businesses and residents.

Waterloo's employment growth will be characterized by a wide range of employment sectors including but not limited to manufacturing, research and technology and knowledge-based

industries. The city's future economy will increasingly rely on the service sector, particularly knowledge-based industries, business services and technology companies. Advanced manufacturing will play an important supporting role in the local economy. Other service industries that primarily support Waterloo's population will continue to provide an important function for local residents. The City will protect *employment areas* from non-employment uses and support and encourage employment uses within Nodes, Corridors, and the Uptown Waterloo Primary Node. *Intensification of employment areas* and employment related land use areas are opportunities to support the city's growth and sustainability. To support intensification, the City will plan for transit and *pedestrian*- supportive *employment areas*, and new and expanding employment land use areas where possible and appropriate.

Employment Areas and other employment lands will be planned to permit a broad range of employment uses in the local context. Complementary uses, where permitted, are anticipated to directly support the primary employment use on the lands and adjacent area. *Ancillary* uses, where permitted, are anticipated to provide opportunities for *mixed-use* developments within specific Employment land use designations and are intended to permit uses that directly support the primary employment use on the lands and adjacent area.

10.3.1 Employment Objectives

- (1) The City of Waterloo will plan for and support a well balanced, diverse, and sustainable economy, while ensuring meaningful employment opportunities are available. The City will:
 - (a) Encourage, support and promote *development* that features *sustainable design*;
 - (b) Plan for a wide range of business clusters and economic activities that are directed to appropriate locations across the City;
 - (c) Continue to collaborate with and support economic development entities in an effort to attract sustainable growth that provides high- quality jobs, supports a diverse economy, and contributes to Waterloo's future prosperity;
 - (d) Support and plan for an appropriate range of lot sizes in the *employment areas* located in the City, while recognizing the constrained land supply in the City; and,
 - (e) Make strategic investments, or provide support to other public agencies and/or private entities, to provide key competitive *infrastructure* that supports sustainable business development and activity, including sewage and water systems, stormwater systems, utilities (such as electricity, natural gas and telecommunications), and the transportation system.
- (2) The City encourages the creation of high-tech and innovation clusters among similar and complementary businesses in order to foster the sharing of ideas, information, and to facilitate interactions.
- (3) The City encourages the further *development* of the University of Waterloo's Research and Technology Park as an opportunity for the knowledge-based and technology

industry to locate within the City.

- (4) This Plan encourages high-tech and innovation clusters to locate on lands designated Business Employment, given access to public transit and other community amenities.

10.3.2 General Policies

Overview of Employment Land Use Structure

- (1) Employment land uses are shown on **Schedule 'A' – Land Use Plan** as employment and are designated on **Schedule 'A2' – Employment Land Uses** as the following two Employment land use designations:
 - (a) Flexible Industrial; and,
 - (b) Business Employment;
- (2) Lands designated Flexible Industrial on Schedule 'A2' Employment Land Uses, shall be considered as *employment areas* consistent with the Provincial Planning Statement and the Planning Act.
- (3) Other lands designated as Employment on Schedule 'A2' Employment Land Uses, designated Business Employment, may not be *employment areas* as per the Provincial Planning Statement and the Planning Act, but should contribute to a wider range of employment opportunities that are compatible with Flexible Industrial employment areas and other adjacent land uses.
- (4) These Employment land use designations vary in terms of the range of uses permitted, the scale and intensity of the development, the design standards that apply and the potential impacts of these uses on adjacent uses. The height limits for lands with an Employment designation are shown on **Schedule 'B1' – Built Form**.
- (5) Business Employment areas will generally be located adjacent to Flexible Industrial employment areas and will generally serve as transitions between Flexible Industrial employment areas and other land uses.
- (6) Notwithstanding policy 10.3.2 (5), some Business Employment designated areas may be located in areas that are not adjacent to Flexible Industrial employment areas, but may still provide for employment opportunities, provide a transition to other land uses, and/or be strategically located throughout the city to foster complete communities at the neighbourhood or large site scale.

Location of Major Office Development

- (7) *Major offices* shall be located within the Uptown Waterloo Primary Node, Major Nodes, or Major Transit Station Areas, in close proximity to Light Rail Transit stops or frequent

transit routes.

Protecting the Employment Land Supply

- (8) It is a policy of this Plan to foster growth opportunities within all employment designated lands through the development of vacant lands, and *intensification* of existing employment parcels. This Plan encourages a range of lot sizes in the areas defined in **Schedule 'A2' – Employment Land Uses**, while recognizing that large, vacant employment lots may not be available due to Waterloo's limited land supply.
- (9) It is a policy of this Plan to maintain a diverse and balanced land supply to serve the employment needs of the City and to ensure there are sufficient *employment areas* and land for related employment uses available to accommodate employment growth now and into the future, including an adequate supply of serviced land and an allowance for choice.
- (10) *Employment areas* located adjacent to or near major goods movement facilities or corridors will be preserved as areas for manufacturing, warehousing and logistics, appropriate associated uses, and ancillary facilities.
- (11) Institutional, commercial, residential, retail and office uses are not permitted within designated *employment areas*, with the exception of associated retail, office and ancillary facilities. Flexible Employment as described in section 10.3.2.11 of this Plan would continue to be permitted. Freestanding commercial *development* shall not be permitted within *employment areas*, except as provided for in the Area Specific Policies included in Chapter 11. Such uses shall locate within an appropriate Commercial and Mixed-Use designation.
 - (a) Drive-through facilities are normally associated with restaurants, banks and other commercial uses. Lands designated Business Employment may permit drive-through facilities in association with permitted uses. Provisions to permit and/or regulate drive-through facilities will be included in the City's implementing Zoning By-law. Where permitted by way of the Zoning By-law.
- (12) Notwithstanding any other policies in this Official Plan, limited commercial uses may be permitted in identified Employment Gateway Areas as shown on **Schedule 'A2' – Employment Land Uses** of this Plan. The range of commercial uses and associated performance standards will be outlined by the Zoning By-law.
- (13) Existing uses in the Flexible Industrial designation that do not conform with the definition of "*employment area*" in the Planning Act shall be permitted where the use has been lawfully established on the parcel of land before October 20, 2024.
- (14) Given the limited supply of designated Employment land in the city, *intensification* of designated Employment lands for employment purposes is encouraged. Where

possible, shared use of space and facilities by a variety of users is strongly encouraged.

Land Use Compatibility

- (15) New residential development shall be discouraged from locating within close proximity to land designated Flexible Industrial due to possible adverse affects on the sensitive residential land use by the industrial operations contemplated within the Flexible Industrial designation.
- (a) Where new employment uses or the expansion of employment uses are constructed near residential areas, the City will require that applicable Provincial regulations, policies, guidelines and best practices are met or adhered to. Such proposals shall be referred to the Ministry to determine if a Certificate of Approval under the Environmental Protection Act is necessary.
- OPA No. 14, approved January 11, 2018**

Site and Urban Design

- (16) A high quality of site and building design is contemplated for all Employment land uses. Proponents of development on lands designated Employment shall be required to obtain approval of a *Site Plan* that is consistent with the provisions of the Planning Act, the policies of this Plan, and any City approved design guidelines and development standards, prior to the commencement of any site works or the issuance of a building permit.
- (17) The City shall require a high quality of design, architecture and built form for development in Business Employment designated areas that front onto major roads in visually prominent or gateway locations.
- (a) Higher standards for screening of outdoor storage areas, landscaping, signage, and location of loading and parking areas are contemplated at the periphery of *employment areas* and adjacent to entrance roads into the city.
- (18) Development will contribute to attractive, efficient, and competitive *employment areas* by:
- (a) Featuring a high standard of urban design which enhances the quality of the public realm along all public roads, appropriately accommodates *pedestrians* and cyclists, and minimizes impacts on neighbouring land uses;
- (b) Providing adequate vehicular access, off-street parking, while minimizing large expanses of surface parking and the number and location of vehicular access points;
- (c) Appropriately buffering outside storage and assembly areas to minimize visual impacts on surrounding land uses;
- (d) Appropriately locating and designing loading areas to minimize impacts to surrounding land uses, and promoting safe circulation within the site;
- (e) Minimizing light and fugitive emission impacts on surrounding land uses;

- (f) Ensuring that employment traffic is directed away from planned residential areas; and,
- (g) Fostering compact development and *intensification* to facilitate the efficient use of land, where appropriate.

10.3.3 EMPLOYMENT DESIGNATIONS

10.3.3.1 Flexible Industrial Designation

Vision

The Flexible Industrial land use designation contemplates traditional industrial uses such as manufacturing, processing, assembly, construction and service trades, as well as warehousing and distribution. Lands within this designation are generally on the interior of employment designated areas employment areas to facilitate land use compatibility and limit adverse impacts to *sensitive land uses*. Flexible Industrial designated areas will be planned to function as *employment areas* in accordance with the Provincial Planning Statement and the Planning Act.

Schedules

- (1) Areas designated Flexible Industrial shall be designated Employment on **Schedule 'A' – Land Use Plan** and indicated more specifically as Flexible Industrial on **Schedule 'A2' – Employment Land Uses**.
- (2) The height of developments within the Flexible Industrial designation shall be limited as shown on **Schedule 'B1' – Built Form**, and further defined in the Zoning By-law.

Land Use

- (3) The Flexible Industrial designation may be zoned to permit the following primary uses:
 - (a) Industrial uses including assembling, fabricating, manufacturing, processing, repair and servicing, storage, utilities, communications, transportation facilities, service trades, equipment suppliers, printing and publishing and construction uses;
 - (b) Advanced Technology, Business Incubator, Research and Development facilities including Product Development and Low Impact Testing Labs,
 - (c) Data Centre provided the data centre does not conflict with the planning and growth objectives of this Plan or the City;
 - (d) *Urban agriculture*, excluding large scale greenhouses, subject to the requirements of the implementing Zoning By-law;
 - (e) Warehouse, distribution, and wholesale uses (no retail); and,
 - (f) Office and retail uses ancillary to a primary permitted use

- (4) In addition to the primary permitted uses above, lands designated Flexible Industrial may be zoned to permit the following uses, subject to the provisions of this Official Plan, provided they do not impact the ability of the lands to achieve the vision and policies in this designation:
- (a) Automobile service stations;
 - (b) *Community uses*, except public schools and private schools and child care facilities; and,
 - (c) Parking facilities.
- (5) Limited display and retail of products manufactured on site is permitted as an *ancillary* use, as regulated in the implementing Zoning By-law.
OPA No. 11, approved December 11, 2014
OPA No. 34, approved October 28, 2022
- (6) The following uses shall be prohibited within the Flexible Industrial designation:
- (a) Uses deemed to be hazardous;
 - (b) Salvage, scrap, wrecking, and private recycling facilities;
 - (c) Chemical manufacturing, processing or refining;
 - (d) Storage, transportation or manufacturing of explosives or fireworks;
 - (e) Rendering plants or facilities
 - (f) Retail and office uses not associated with and ancillary to a primary use;
 - (g) Residential uses; and,
 - (h) Any other use as set out in the implementing Zoning By-law.

Development Policies

- (7) Where possible, *ancillary uses* associated with the primary permitted land use permitted within the Flexible Industrial designation shall be located along the periphery of the Flexible Industrial Employment area at intersections and along arterial roads.
- (8) Applications for the expansion or relocation of employment uses that use large amounts of water and/or dispose of large amounts of liquid or solid waste shall require an Amendment to this Plan and are generally discouraged. Applications for new employment uses that use large amounts of water and/or dispose of large amounts of liquid or solid waste shall require an Amendment to this Plan and are generally discouraged. The foregoing shall not apply to municipal *infrastructure* such as water distribution and waste water treatment facilities.
- (9) In accordance with the Provincial Planning Statement and the policies in this Plan, removal of lands from *employment areas*, and removal of lands designated Employment on **Schedule 'A' – Land Use Plan** shall only be considered where it is demonstrated to the satisfaction of the City that:

- (a) There is an identified need for the removal of the employment lands and the land is not required for *employment area* uses over the long term.
 - (b) The proposed uses would not negatively impact the overall viability of the *employment area* by:
 - i. Avoiding or where avoidance is not possible, minimizing and mitigating potential impacts to the *existing* or planned *employment area* uses in accordance with policy 3.5 of the Provincial Planning Statement
 - ii. Maintaining access to major goods movement facilities and corridors including segments of the Strategic Goods Movement Network identified in Connecting the GGH: A Transportation Plan for the Greater Golden Horseshoe;
 - (c) The proposed uses would not adversely affect the overall viability of the *employment area*,
 - (d) Existing or planned infrastructure and public service facilities are available to accommodate the proposed uses; and
 - (e) the city has sufficient employment lands to accommodate projected employment growth to the horizon of this Plan.
- (10) Where lands are removed from *employment areas*, the implementing planning framework to enable the removal shall include:
- (a) appropriate minimum employment densities are required to be maintained in conjunction with non-employment uses;
 - (b) built form requirements, including requirements for *developments* to feature *mixed-use* sites or buildings;
 - (c) permitted heights and densities;
 - (d) requirements to ensure that any new sensitive uses are appropriately phased in based on the surrounding land use context and land use compatibility is achieved including in relation to the Provincial D Series Guidelines. Permission for sensitive uses may require the application of holding provisions to ensure the policies of this Plan and any other matter of interest to the City is addressed.
- (11) The following uses shall be prohibited within the Flexible Industrial designation:
- (a) Uses deemed to be hazardous;
 - (b) Chemical manufacturing, processing or refining;
 - (c) Storage, transportation or manufacturing of explosives or fireworks;
 - (d) Rendering plants or facilities;
 - (e) Residential uses; and,
 - (f) Any other use as set out in the implementing Zoning By-law.

10.3.3.2 Business Employment Designation

Vision and Planned Function

The Business Employment land use designation is a category of employment uses that will be planned as employment areas. Lands within this designation are generally located on the periphery of employment designated areas, serve as a buffer between Flexible Industrial *employment areas* and sensitive uses, while accommodating light industrial uses, and offices and limited commercial uses related to the primary permitted land use, along planned or existing transportation routes, and in higher density destinations such as designated Nodes or Corridors. Lands designated Business Employment will provide a broad range of light industrial uses, technical and/or scientific businesses, advanced technology companies.

Business Employment areas shall be planned to achieve a diverse range of employment uses and help to facilitate *complete communities*. A high standard of urban design and architecture will be required within this designation.

OPA No. 34, approved October 28, 2022

Schedules

- (1) Areas designated Business Employment shall be designated Employment as shown on **Schedule 'A' – Land Use Plan** and indicated more specifically as Business Employment on **Schedule 'A2' – Employment Land Uses**.
- (2) The height of developments within the Business Employment designation shall be limited as shown on **Schedule 'B1'- Built Form**, and further defined in the Zoning By-law.

OPA No. 34, approved October 28, 2022

Land Use

- (3) Lands designated Business Employment will provide a broad range of light industrial uses, technical and/or scientific businesses, and advanced technology companies. Lands designated Business Employment may allow offices, commercial, and ancillary uses with the primary permitted land use. Lands designated Business Employment may be zoned to permit primary uses, including:
 - (a) Advanced Technology, Business Incubator, Research and Development facilities including Product Development and Low Impact Testing Labs, Data Centre provided the data centre does not conflict with the planning and growth objectives of this Plan or the City;
 - (b) Makerspace;
 - (c) Light assembly / light manufacturing / light processing operations, including but not limited to the production of high-value, high technology products, which do

not result in emissions of odours, fumes, noise, cinder (including smoke, soot, ash), dust, vibrations, heat, glare (lighting), or electrical interference;

- (d) Printing and publishing; and,
- (e) Parking facilities.

OPA No. 11, approved December 11, 2014

OPA No. 34, approved October 28, 2022

- (4) Lands designated Business Employment may be zoned to permit the following complementary uses, provided such uses are compatible with the planned function and policies of this designation and do not conflict or interfere with the development of the primary permitted uses:
 - (a) Repair and servicing operations related to the primary uses in policy 10.3.3.2 (3), and as regulated through the implementing Zoning By-law; and
 - (b) Indoor storage and warehousing related to the primary uses in policy 10.3.3.2 (3), and as regulated through the implementing Zoning By-law.
 - (c) Offices;
 - (d) *Medical clinics*;
 - (e) Training facilities;
 - (f) Communication production uses;
 - (g) Hotel, Conference and Convention Centres;
 - (h) *Community uses*, except public schools and private schools;
 - (i) Fitness Centres and Commercial Recreation;
 - (j) Wholesale uses;
 - (k) Entertainment Uses;
 - (l) Self Storage Facilities;
 - (m) Small scale warehousing;
 - (n) Banquet halls; and,
 - (o) Funeral homes.
- (5) In addition to the permitted uses above, lands designated Business Employment may be zoned to permit the following *ancillary* uses, subject to the provisions of this Official Plan:
 - (a) Banks and financial services;
 - (b) Catering establishments;
 - (c) Child care centres;
 - (d) *Food Store*;
 - (e) *Urban agriculture*;
 - (f) Commercial schools; and
 - (g) Restaurants including Nanobrewery.
- (6) Where lands designated Business Employment are recognized on **Schedule 'B' – City Structure** as being within a Major Transit Station Area or within a Major Node, the Zoning By-law may permit the following additional *ancillary* uses:
 - (a) *Convenience retail* and personal service uses intended to serve local business

needs and their employees.

OPA No. 34, approved October 28, 2022

- (7) The following shall apply to *ancillary uses* permitted in policies 10.3.2.2 (5) and 10.3.2.2 (6):
- (a) *Ancillary uses* shall be on a *mixed-use* site containing primary permitted use(s) identified in policy 10.3.2.2(3) and/or offices or *medical clinics* identified in policy 10.3.2.2(4), and the building floor area associated with the *ancillary uses* shall be subordinate and incidental to a primary use(s), office or *medical clinic* on the site; and,
 - (b) *Ancillary uses* are encouraged to be oriented toward street frontages and designed to enhance the *pedestrian* environment.
- (8) The following uses shall be prohibited within the Business Employment designation:
- (g) Assembly, fabricating, manufacturing, and processing industrial uses, excluding the primary uses permitted in policy 10.3.2.2 (3);
 - (h) Uses deemed to be hazardous;
 - (i) Salvage, scrap, wrecking, and private recycling plants;
 - (j) Chemical manufacturing, processing or refining;
 - (k) Storage, transportation or manufacturing of explosives or fireworks;
 - (l) Rendering plants or facilities;
 - (m) Residential uses; and,
 - (n) Any other use as set out in the implementing Zoning By-law.
- OPA No. 34, approved October 28, 2022**
- (9) Amendments to lands designated Business Employment shall only be considered where it is demonstrated to the satisfaction of the City that:
- (a) the lands are not required to meet the employment targets of this Plan;
 - (b) the proposed amendment would not adversely affect the overall viability of the employment planned function of the area, where applicable; and
 - (c) existing or planned infrastructure and public service facilities are available to accommodate any proposed use(s).
- (10) Where lands are removed from the Business Employment designation, the implementing planning framework to enable the removal shall include:
- (a) appropriate minimum employment densities are required to be maintained in conjunction with non-employment uses;
 - (b) built form requirements, including requirements for *developments* to feature *mixed-use* sites or buildings;
 - (c) permitted heights and densities;
 - (d) requirements to ensure that any new sensitive uses are appropriately phased in based on the surrounding land use context and land use compatibility is achieved including in relation to the Provincial D Series Guidelines. Permission for sensitive uses may require the application of holding provisions to ensure

the policies of this Plan and any other matter of interest to the City is addressed.

10.4 MAJOR INSTITUTIONAL LAND USE POLICIES

Vision and Planned Function

The Major Institutional designation is designed to provide for a wide range of institutional uses within the City. The Major Institutional designation is intended to encompass individual buildings or groups of buildings related to health care, recreation, social service, education, off-campus research institutions, and justice uses, all of which serve to strengthen the community. Major Institutional uses are anticipated to be well-designed, in recognition that that institutional land uses often become landmarks to the City's identity.

Major Institutional uses are distributed throughout the City. It is anticipated that higher-order major institutional uses will be located within the Uptown Waterloo Primary Node, with other smaller-scale institutional uses continuing to locate within neighbourhoods. A limited range of *ancillary* uses are permitted within the Major Institutional designation. All permitted *ancillary* uses are intended to directly serve the institutional use.

Within the Major Institutional designation is a Major Institutional-Academic sub-designation which is applied to the campuses of post-secondary educational institutions. This sub-designation recognizes continued post-secondary growth and recognizes that post-secondary educational institutions are major employers in Waterloo's economy. This sub-designation includes the University of Waterloo's North Campus, where post-secondary educational along with a restricted range of employment and commercial uses are contemplated, primarily within the University of Waterloo Research and Technology Park and the University of Waterloo Northwest Campus.

Schedules

- (1) Lands Designated "Major Institutional" and "Major Institutional-Academic" are shown on **Schedule 'A' – Land Use Plan**.
- (2) The scale of development within the Major Institutional designation shall be limited as shown on **Schedule 'B1' – Built Form**, provided further that lands designated Major Institutional and shown as 'Low Rise, 4 storeys' on **Schedule 'B1' – Built Form**, and further defined in the Zoning By-law.
- (3) The height of *developments* within the Major Institutional-Academic designation shall be limited as shown on **Schedule 'B1' – Built Form**, as specified in policy 10.4
(2)

Land Use

- (4) The Major Institutional designation is a designation in which the predominant use of land is large-scale, institutional uses. Lands designated Major Institutional may be zoned to permit a broad range of institutional uses, including:
 - (a) Major health and government uses;
 - (b) Social service, cultural, community, and recreational uses;
 - (c) High schools (secondary schools);
 - (d) Off-campus research institutes and think tanks; and,
 - (e) Other similar uses consistent with the vision and policies of this designation.
- (5) In addition to the permitted uses above, lands designated Major Institutional may be zoned to permit the following uses, subject to the provisions of this Official Plan, provided they do not impact the ability of the lands to achieve the vision and policies in this designation:
 - (a) Administrative offices that directly serve the major institutional use;
 - (b) Limited retail commercial and service uses that directly serve the major institutional use, provided that the use is located on the same property as the major institutional use;
 - (c) Parking facilities;
 - (d) Residential uses, where they are intended to provide accommodation for persons associated with the major institutional use, provided that the use is located on the same property as the major institutional use;
 - (e) Research activities and/or educational uses associated with the major institutional use, provided that the use is located on the same property as the major institutional use; and,
 - (f) *Community Uses*.
- (6) Applications to amend this Plan to designate additional areas for Major Institutional uses will be reviewed subject to the following criteria:
 - (a) Major Institutional uses will be compatible with the characteristics of surrounding land uses;
 - (b) Major Institutional uses shall be encouraged to locate adjacent to Regional or City Arterial and Collector *Roads*;
 - (c) Major Institutional uses shall demonstrate a high standard of urban design;
 - (d) Infrastructure capacity is not exceeded;
 - (e) Safe access, flood protection, and geotechnical stability shall be achieved to the satisfaction of the City and the Grand River Conservation Authority; and,
 - (f) Major Institutional uses shall be encouraged to locate in close proximity to existing or planned transit routes and incorporate a *pedestrian* and cyclist focus.
- (7) Any lands designated Major Institutional and located within the Uptown Waterloo Primary Node shall be subject to section 3.7.1 of the City Form Chapter.

10.4.1 Major Institutional-Academic

- (1) The Major Institutional-Academic designation shown on **Schedule 'A' – Land Use Plan** is a designation in which the predominant use of land is post-secondary educational institutions. Lands designated Major Institutional-Academic shall be comprised of a mixture and concentration of post-secondary educational institutional uses within the campus of a recognized University or College. Lands designated Major Institutional-Academic may be zoned to permit the following uses:
 - (a) Academic facilities of a post-secondary educational institution related to learning;
 - (b) Administrative facilities for the post-secondary educational institution;
 - (c) Research and development facilities operated by the post-secondary educational institution;
 - (d) Research institutes of the post-secondary education institution;
 - (e) Residential uses, where they are intended to provide accommodation for persons associated with the post-secondary education institution;
 - (f) Parking facilities; and,
 - (g) Other similar uses consistent with the vision and policies of this designation.
- (2) In addition to the permitted uses above, lands designated Major Institutional-Academic may be zoned to permit the following additional uses, subject to the provisions of this Official Plan, provided they do not impact the ability of the lands to achieve the vision and policies in this designation:
 - (a) *Convenience retail* and restaurant uses that primarily serve the faculty, employees and students of the post-secondary educational institution;
 - (b) *Community uses*;
 - (c) Park and recreational facilities accessory to the post-secondary educational institution; and,
 - (d) Child care centres that primarily serve the faculty, employees and students of the post-secondary educational institution.
- (3) This Plan recognizes the University of Waterloo's Research and Technology Park and the University of Waterloo's Northwest Campus. It is a policy of this Plan to encourage the retention and ownership of these lands by the University of Waterloo. The following uses are permitted on these lands:
 - (a) The uses permitted in policies 10.4(8) and 10.4(9) above;
 - (b) Offices;
 - (c) Research and development facilities that are compatible with surround sensitive uses; and,
 - (d) Light Manufacturing related to a research and development facility.
- (4) District Plans may further define the extent of *convenience retail* and restaurant uses that are permitted on lands owned by the University of Waterloo and located north of Columbia Street, provided further that District Plan policies will be implemented through the Zoning By-law.
- (5) The City will work with post-secondary educational institutions to plan for campus growth needs.

- (6) Post-secondary educational institutions are encouraged to create campus master plans.
- (7) The City strongly encourages housing on post-secondary educational institution campuses for the use by students, staff and faculty of such institutions.
- (8) Post-secondary educational institutions should focus growth within their existing campus lands, as a first priority. If additional lands are required, the City will plan for the expansion of post-secondary educational institutional uses in a manner that is consistent and compatible with the planned function of the expansion area, and identify preferred expansion areas. Existing expansion areas are identified in *Area Specific Policies*, and include the following:
 - (a) With respect to the University of Waterloo, lands identified in Area Specific Policy 34 and Area Specific Policy 35.
 - (b) With respect to Wilfrid Laurier University and the University of Waterloo, lands identified in Area Specific Policy 20.
 - (c) With respect to Conestoga College, lands immediately adjacent to Marsland Drive, as identified in Area Specific Policy 36.
 - (d) Uptown Waterloo.
- (9) New Research and Technology Parks on lands designated Major Institutional - Academic will be comprehensively planned *developments* and shall:
 - (a) Be multi-disciplinary, incorporating academic, private business and government agencies as appropriate;
 - (b) Contain *mixed-uses*, where appropriate, that include spaces for academic, office, and residential uses;
 - (c) Offer an appropriate range of complementary commercial, recreational, and leisure amenities to support and serve employees, visitors, and the on-site population;
 - (d) Be comprehensively and cohesively planned as an area, with supporting urban design standards and guidelines;
 - (e) Demonstrate environmental leadership through *sustainable design*; and,
 - (f) Be encouraged to develop at a high density with shared, structured, or underground parking to facilitate a compact built form.
- (10) *Development* on post-secondary institutional lands should comply with Section 3.9 Urban Design and the University Avenue Gateway Strategy.
- (11) Post-secondary institutions are strongly encouraged to participate in the City's Site Plan Review process.
- (12) It is a policy of this Plan that post-secondary institutions coordinate with the City of Waterloo and the Region of Waterloo on matters including *road* widenings, transportation improvements, other public *infrastructure* works, and land use compatibility between certain academic uses in close proximity to *sensitive land*

uses.

10.5 STATION AREA MIXED-USE DESIGNATION

Vision and Planned Function

The Station Area Mixed-Use designation is a category in which a full range and mix of land uses is contemplated. This designation is intended to provide opportunities for infill *development* and for substantial levels of *intensification*. The Station Area designation recognizes that areas within Major Transit Station Areas present opportunities to improve mobility, support placemaking, and create a series of vibrant, *mixed-use* areas and *developments*. Residential uses as part of large site *developments* within Station Areas shall be combined with an appropriate range and amount of non-residential uses on site to create a vibrant transit-oriented *complete community*.

Development on lands designated Station Area Mixed-Use will align with the City's Station Areas Plans, including promoting community-building that supports the unique attributes of each of the station areas, and creating attractive places for working, living, learning and recreation. In addition to place-making and facilitating transit-oriented intensification opportunities, the intent of the Station Area Mixed-Use designation is to orient *development* within Station Areas towards the LRT corridor and Station Area stops where possible.

Land Uses

- (1) Lands designated Station Area Mixed-Use as shown on **Schedule 'A' - Land Use Plan** shall be zoned to permit a range of uses in *mixed-use*, medium and high-rise buildings, on comprehensively planned sites.
- (2) Lands designated Station Area Mixed-Use shall permit building heights of up to 30 storeys as shown on **Schedule 'B1'— Built Form** and densities in accordance with the implementing Zoning By-law.
- (3) Lands designated Station Area Mixed-Use shall be zoned to permit a range of residential, employment, commercial, and *community uses*, as part of a *mixed-use* building, or as part of a comprehensively planned *mixed-use* site, and may include the following primary uses:

Residential

- (a) multi-unit residential buildings, including apartment buildings subject to policies 10.5 (11);

Employment

- (b) advanced technology research and development facilities that are compatible with sensitive uses;
- (c) commercial product research and development facilities that are compatible with sensitive uses;
- (d) office uses;
- (e) light industrial manufacturing, process and assembly;
- (f) live/work units;

Commercial

- (g) Retail uses;
- (h) *Food Stores*;
- (i) Commercial services;
- (j) Banks and financial services;
- (k) Restaurants;

Additional non-residential uses

- (l) Public and private schools;
- (m) Education institutions; and,
- (n) *Community uses* and facilities.

- (4) In addition to the permitted uses above, lands designated Station Area Mixed-Use may be zoned to permit the following complementary uses, provided they do not impact the ability of the designated Station Area Mixed-Use area to achieve the vision and policies in this designation:
 - (a) Assisted Living Facilities;
 - (b) *Urban agriculture*; and,
 - (c) Long-Term Care Facilities.
- (5) The following uses shall not be permitted on lands designated Station Area Mixed-Use:
 - (a) automobile gas and/or service station;
 - (b) stand-alone automobile retail dealership;
 - (c) banquet hall;
 - (d) drive-through;
 - (e) nightclub; and
 - (f) transportation services.
- (6) To ensure properties are of sufficient size to achieve substantial levels of *intensification* as contemplated in this designation, lands designated Station Area Mixed-Use shall be sufficiently sized and have adequate frontage along public or private roads to allow medium and high-rise buildings, as set out in the implementing Zoning By-law which may contain minimum frontage, and lot area requirements.

- (7) Lands designated Station Area Mixed-Use may be zoned to permit *medical clinics*, *convenience retail*, childcare centres, personal services, commercial recreational, commercial wellness, and *spiritual uses* as *ancillary uses*, subject to the following policies:
- (a) Any proposed *ancillary use* identified in this policy shall be within a *mixed-use* building or freestanding on a *mixed-use* site, and the building floor area associated with the *ancillary uses* shall be substantively subordinate and incidental to a primary use(s) in the building or on the *mixed-use* site as the case may be;
 - (b) *Ancillary uses* shall be oriented to the street or other *pedestrian* environment/realm, with a design that activates the streetscape or other *pedestrian* environment/realm; and,
 - (c) Further definition of uses, performance standards, restrictions on the scale of any *ancillary uses* including floor space caps, and permitted locations for ancillary uses shall be regulated through the implementing Zoning By-law.

Development Policies

- (8) The intent of this designation is to increase transit ridership, encourage walking and cycling, and to make more efficient use of the City's *infrastructure* and services, through the *development* of a *mixed-use complete community*. *Development* on land designated Station Areas Mixed-Use shall demonstrate how the intent of the designation has been achieved.
- (9) The range of uses outlined in policy 10.5 (3), including employment, commercial, community and residential uses, shall be used in combination to create comprehensively planned *mixed-use* areas and sites, and to contribute to achieving the minimum Station Area density target of 160 residents and jobs per hectare.
- (10) New *development* shall demonstrate how buildings and sites will facilitate the achievement of the minimum Station Area density target of 160 residents and jobs per hectare.
- (11) For lands designated Station Area Mixed-Use, residential uses shall be located above the ground floor, in a multi-storey *mixed-use* building only, provided further that:
- (a) Parking required for residential uses shall be provided predominately underground or in a parking structure(s), and structured parking shall not be visible from public view. The implementing Zoning By-law may require structured parking to be located behind building floor area.
 - (b) The Zoning By-law will define performance standards that are specific to residential uses, including but not limited to location, amenity space, density, and parking regulations;
 - (c) Freestanding residential uses may be permitted where it is demonstrated to the satisfaction of the City that the site will contain a mixture of uses (including a

meaningful amount of commercial, employment and *community uses*), and the range of uses collectively will contribute to the Station Area density target and a *complete community*. Freestanding residential uses shall not adversely impact the planned function of the Station Area Mixed Use designation. Freestanding residential *development* shall only be considered where lands are of sufficient size to accommodate multiple buildings, including one or more buildings adjacent to the street with a meaningful amount of building floor area devoted primarily to retail, service commercial, office commercial, and/or employment uses.

- (12) Large *developments* with greater than 1,000 residential units should accommodate two square metres or more of commercial, employment, and/or *community uses* for every residential unit proposed.
 - (a) For clarity, for the purposes of calculating non-residential uses as outlined in policy 10.5 (12), any consideration of *community uses* shall exclude open space, *temporary farmers' markets* and *community garden* uses.
 - (b) Planning for employment and office uses, large *developments* shall demonstrate that the proposed *development* will achieve a minimum employment density of 35 jobs per hectare.
- (13) *Development of mixed-use* buildings within the Station Area Mixed-Use designation shall include, but not be limited to the following:
 - (a) Short term parking at restaurants for food delivery vehicles and customer pick-ups;
 - (b) Secure storage for package deliveries in high-rise buildings;
 - (c) Short-term parking for pre-ordered customer pick-ups at retail and *food stores*;
 - (d) Short term parking for deliveries to high-rise buildings, preferably on-site; and,
 - (e) Safe movement of bicycles and *pedestrians*, such as integrated bicycle and *pedestrian* pathways connecting to and from public rights-of-ways.
- (14) Large parcels of land (2 ha or greater) and/or multi-building *developments*, are anticipated to be developed in two or more phases. It is the intent of this Plan that the lands be comprehensively master planned prior to *development*, to demonstrate and ensure:
 - (a) Connectivity and integration between the phases;
 - (b) Orderly growth and *development*;
 - (c) Coordination of site servicing and stormwater management;
 - (d) Public health and safety (including emergency response);
 - (e) The provision of sufficient and coordinated green spaces;
 - (f) The provision of sufficient *community uses* and community *infrastructure*;
 - (g) The provision of sufficient and well distributed commercial and employment uses;
 - (h) Cost effective *development* patterns;
 - (i) Vibrant and well designed private and public spaces; and

- (j) Coordinated design standards and guidelines, including urban design.

10.6 OPEN SPACE LAND USE POLICIES

Vision

This Plan encourages a high-quality urban environment of which Open Space land uses are an important component. The Open Space designation is intended to protect ecologically significant *natural features* and to provide a comprehensive and connected open space system that balances the needs of the community in terms of recreation/leisure, culture, transportation, *infrastructure* and environmental management.

The City's open space will be conveniently accessible from the City's neighbourhoods, and will be planned and designed to serve the needs of a diverse number of user groups. Open spaces will often be multi-purpose spaces, and may accommodate four-season activities. To ensure that citizens have an appropriate level of park-based recreational and leisure opportunities, the City will strive to acquire land for park and trail purposes consistent with a Municipal Parkland Classification System. It is recognized that some Open Space lands, such as stormwater management facilities, hydro corridors, conservation areas, environmental reserves, *natural features*, buffers associated with *natural features*, cemeteries, landfill and golf course are not managed as parkland and may not be City-owned. These lands are identified as Open Space as they provide important connections and green space which contribute to the connectivity of the comprehensive open space system.

The City's Natural System is valued for its contribution to the City's character and high quality of life, the invaluable *ecological functions* it performs, as well as the scientific, recreational and therapeutic role the Natural System provides. The Natural System, comprised of Landscape Level Systems, Core Natural Features, Supporting Natural Features, as well as *fish habitat*, Restoration Areas and *Linkages*, directly supports plants, animals and humans, and is essential in maintaining biodiversity. The City recognizes the varying degree of significance and sensitivity of features within the Natural System hierarchy, and will ensure an appropriate level of protection based on such significance and sensitivity.

10.6.1 General Policies

- (1) The policies of this section are closely related to other sections of this Plan, including:
 - (a) Policies related to the trails and open space network included in the Networks Chapter and Transportation Chapter. These set a framework and provide policy direction with respect to developing a comprehensive and connected open space system.
 - (b) Policies and objectives included in Environment and Energy Chapter of this Plan set a framework and provide policy direction with respect to the wise management of the natural environment.

Schedules

- (2) Lands designated Open Space are shown on **Schedule 'A' – Land Use Plan** and are further identified on the following Schedules:
 - (a) The Parks and Other Green Spaces, Cemeteries, Landfill and Golf Course components of the Open Space designation are identified on **Schedule 'A3' – Open Space Land Uses**.
 - (b) The Natural System elements within the Open Space designation are identified on **Schedule 'A4' – Natural System**.

Land Use

- (3) Within the Open Space land use designation, the predominant use of land is open space and the designation envisions a broad range of uses including municipal parks and other green spaces, active and passive recreation uses, municipal facilities, community gardens, elements of the natural system, cemeteries, golf courses and the regional landfill, subject to policy 10.6.1 (4) below.
- (4) It is not the intent of this Plan to permit all uses listed in policy 10.6.1 (3) in every Open Space designation. Permitted uses and policies related to individual Open Space designations will be further defined in section 10.6.2 of this Plan in the following four Open Space designations:
 - (a) Parks and other Green Spaces (Includes elements of the Natural System as shown on **Schedule 'A4' – Natural System**);
 - (b) Cemeteries;
 - (c) Golf Course; and,
 - (d) Landfill.

Ownership and Acquisition

- (5) Where privately owned open space lands are proposed to change land use or to be sold, consideration may be given by the City to acquire or protect the area through such means as acquisition, agreement, negotiation, regulation within the Zoning By-Law, or conveyance.

Balancing Human Activity and Environmental Stewardship

- (6) In order to balance the need for environmental stewardship with other demands, the City will continue to identify open space areas for active and passive use as well as for protecting elements of the Natural System which will be planned to accommodate little or no human use.
- (7) When considering the location of parks and trails, the City shall examine the potential

for the integration of *natural features*, hedgerows, *hazardous lands* and *hazardous sites*, where appropriate. Planning for park activity will incorporate consideration of environmental sensitivities.

Naturalization

- (8) The City may prepare a Naturalization Policy to balance active recreational programs with the importance of maintaining or enhancing the passive natural environment.
- (9) Naturalized areas will be preserved and managed so as to establish self- sustaining natural conditions over time, where appropriate.
- (10) When naturalization is proposed in a park, City staff will determine the impacts of naturalization and assess its appropriateness, giving consideration to:
 - (a) Level of community support;
 - (b) Ability to ensure adequate active park areas for users and the park's intended service needs;
 - (c) Ability to provide for effective security, aesthetics, cost-effective maintenance and to address other concerns as may be identified on a site-specific basis.
- (11) The City will encourage the protection and planting of indigenous vegetation to support biodiversity and community aesthetics.

10.6.2 Open Space Land Use Designations

10.6.2.1 Parks and Other Green Spaces

Land Use

- (1) The Parks and Other Green Spaces designation as shown on **Schedule 'A3'- Open Space Land Uses** is a designation in which the predominant uses of land shall include municipal parkland and trails as well as other open space areas such as hydro corridors, stormwater management facilities, conservation areas, environmental reserves, *natural features*, and buffers associated with *natural features*. Although some of these areas may be privately owned and are not intended to be maintained or managed as parkland, they serve an important role in contributing to the connectivity and comprehensive nature of the open space system. Community gardens may be permitted on lands designated Parks and Other Green Spaces and where possible, shall be located in easily accessible walkable areas and close to community trails with appropriate site conditions to facilitate success.

Parks

- (2) The City will plan, design, operation and maintain a wide range of municipal parkland intended for, and accessible to, a range of users, giving consideration to:

- (a) four season use;
 - (b) active and passive use; and,
 - (c) partnerships with institutional uses to facilitate joint usage of park spaces.
- (3) Policies contained in this Plan shall generally guide the acquisition and development of municipal parkland in the City of Waterloo as outlined in the Landscape Design Process and Requirements Manual, the Development Services Engineering Manual, the Recreation & Leisure Services Master Plan and any other applicable implementing tools, as updated from time to time.
- (4) Municipal parkland in the City of Waterloo will be developed in accordance with a comprehensive classification system (shown in Table 10-1 shown on the following page) to include:
- (a) City Parks: City parks are the City's largest parks and their size is dependent on land features, base facility and venue purpose. These parks project an image for the City, and are comprised of large recreation areas for both active and passive recreational opportunities.
 - (b) Community Parks (minimum size 4 ha): Community parks are located, planned and designed with a city-wide perspective to serve a large population. The location of community parks may be based on natural resources rather than proximity to population.
 - (c) Local Parks (0.5 - 2.0 ha): Local parks are neighbourhood-oriented parks. Basic facilities could include informal active play fields, skating rinks, play facilities, seating, trails and landscaping.
- (5) The municipal parkland classification system and guidelines associated with such a classification system shall form the basis of municipal parkland acquisition. Whenever possible, municipal parkland shall be acquired in accordance with the general guidelines outlined in Table 10-1 and in accordance with the City's Parkland Frontage Policy. The detailed basis for the acquisition and dedication of municipal parkland will be guided by policies of the Plan. The locations and amount of parkland to be provided may be shown in District Plans.

Table 10-1 Municipal Parkland Classification System

Municipal Parkland Type	Size	Minimum Hectares per 1,000 pop.	Accessibility per Distance	Location
City	Varies depending on land features, base facilities and venue purpose	3ha./1000	Serves the entire City and beyond	• Prominent street frontage > 50m, • More than 3 access locations
Community	Min. 4ha. in size	1ha./1000	1600 -2600m	• Extensive street frontage, >50m • Central location

Municipal Parkland Type	Size	Minimum Hectares per 1,000 pop.	Accessibility per Distance	Location
Local	0.5-2ha	1ha./1000	600-800m or 15 to 20 minute walk.	Preferred street frontage of less than 50 metres, but not less than 40 metres.

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Note: Accessibility Distance assumes the absence of physical barriers separating park types from the area to be served.

- (6) In certain situations, particularly in developed areas, it may not be possible to attain the guidelines. However, where renewal or redevelopment proposals are contemplated within areas where a municipal parkland deficiency has been identified, the City will endeavour to obtain additional parkland to satisfy or approach the guidelines.
- (7) Land will be dedicated for parkland purposes in conjunction with development as set out in the parkland dedication policies included in section 12.2.9 of the Implementation Chapter of this Plan.
- (8) Where possible, municipal parkland will be multi-purpose, having a variety of different activities for different user groups that work in a cohesive, orderly manner. In determining the best activity level for a park, consideration will be given to its *natural features* and *ecological functions* and the requirements of the neighbourhood/area.
- (9) With the desire to support healthier lifestyles, municipal parkland will be designed and maintained to allow for four season activities. Not all municipal parkland must or can fulfill this criterion.
- (10) All municipal parkland blocks will have a trail connection to promote connectivity via on-street or off-street trails connecting blocks, open spaces and other points of interest.
- (11) The City encourages the signing of appropriate agreements with the Waterloo Region District School Board and the Waterloo Catholic District School Board for the joint development and use of indoor and outdoor recreation areas and facilities.
- (12) The City will consider entering into Agreements to allow the extension of the municipal parkland/trail system into utility corridors to provide linkage connections that complete or add to the municipal parkland and trail system.
- (13) Wherever possible municipal parkland should be developed adjacent to institutional open space areas in co-operation with the appropriate agencies. Institutional open

space areas include areas owned and operated by an institution, and which due to the function and nature of the institution, will likely be made available for certain public recreational opportunities. Generally, this classification will refer to certain school lands (public or separate schools) certain university and/or college lands, and certain church lands. These institutional open spaces will be detailed in District Plans.

- (14) Existing trees within municipal parkland blocks should be saved wherever feasible to support the health of the *urban forest*. The planting of trees within municipal parkland blocks is encouraged to provide shade and to enhance the *urban forest*.
- (15) The sale or disposal of municipal parkland is discouraged.
- (16) The City will encourage the development/reuse of lands to accommodate activities on municipal parkland that are of value or benefit to the community. This will be important in Uptown where *intensification* will increase the need for open space, but it is also equally important in suburban areas where there is an historic deficit of parkland, or in areas where the neighbourhood has requested more parkland and the City agrees that additional parkland is warranted.
- (17) The City will anticipate greater intensity of use for existing municipal parkland and some potential shift from children and youth activities toward adult-oriented recreation and leisure as the City's population ages. The City will provide a combination of active and passive recreation opportunities in municipal parkland to accommodate existing users and in anticipation of future trends.
- (18) The City of Waterloo will endeavour to provide parks and trails that are sensitive to the efficiency and conservation of energy and embrace environmental best practices and will:
 - (a) Consider innovative design of City lands and facilities (e.g. passive and/or active solar gain, bio-swales, the use of indigenous plant species etc.).
 - (b) Undertake design which results in desired microclimate effects such as the planting of large trees to provide cooling shade, and wind protection.
 - (c) Use renewable construction materials where possible and appropriate.
 - (d) Minimize the need for intensive maintenance and operation (use drought tolerant species, low grow grasses, etc.).

Other Green Spaces

- (19) The City will promote the continuance and development of the parkland and institutional open space corridor that exists from Waterloo Park abutting the Uptown Waterloo Urban Growth Centre, through the University of Waterloo Environmental Reserve lands, and including the Laurel Creek Conservation Area. The extension of this open space corridor into the lands surrounding the Laurel Creek Conservation Area is encouraged through recreational developments by private or public agencies subject to the environmental policies contained in this Plan.

- (20) The primary use of hydro corridors is for the provision of electricity services. However, the extent and linear shape of the corridors provides excellent trail connections between neighbourhoods and can contribute to the overall connectivity of the open space system.
- (21) Stormwater management ponds provide an important function for the City by capturing and retaining stormwater runoff to aid in the management of water quantity and quality. Wherever feasible and appropriate, such lands shall be designed to provide a park-like setting or the character of a natural *wetland* and, where appropriate, may function as municipal parkland. However, stormwater management facilities shall not be accepted as parkland under the parkland dedication provisions of the Planning Act.
- (22) Conservation areas, which include the Laurel Creek Conservation Area and Laurel Creek Nature Centre, are owned and managed by the Grand River Conservation Authority. The Conservation Area lands are the largest areas of Open Space in the City and offer important recreational and environmental educational opportunities to visitors and residents. The Laurel Creek Reservoir, the City's largest body of water, is located within the Laurel Creek Conservation Area. The reservoir serves an important function by reducing the risk of flooding throughout the City. The City will cooperate with the Grand River Conservation Authority to enhance these areas.
- (23) The environmental reserve owned and managed by the University of Waterloo is an important element of the City's open space system and is the largest area of open space on campus. The reserve is a crucial component of the Laurel Creek corridor which extends from the Laurel Creek Conservation Area to Waterloo Park and is primarily intended to function as open space. Public access to the reserve should be maintained and enhanced.
 - (a) Restorative, scientific and educational uses related to on-site resources, including forest, fish and wildlife management shall be permitted on the environmental reserve, while recognizing that significant university uses shall be located on lands designated "Employment – Academic".

10.6.2.2 Cemeteries

Land Use

- (1) The Cemetery designation as shown on **Schedule 'A3'- Open Space Land Uses** is a designation in which the predominant use of land shall be cemeteries and buildings or structures required for the operation and maintenance of the cemetery use or services.
- (2) The City will continue to provide a diverse range of cemetery and cremation services to meet the needs of the Waterloo community as outlined in the Cemetery Services-

Bechtel Park Master Plan and any other applicable implementing tools.

- (a) Cemetery plans will promote connectivity/seamless transition between the urban fabric and cemetery through walking paths, trails and landscaping.
 - (b) Opportunities to collaborate with other groups or agencies should be pursued in order to implement the Cemetery Services-Bechtel Park Master Plan.
 - (c) The City will undertake an expansion of the Parkview Cemetery at the existing site within the Bechtel Park lands in the immediate future.
 - (d) The City will engage in a process to potentially establish a new cemetery at a new location before 2025.
- (3) When considering proposals to develop lands for use as a cemetery or for the enlargement of an existing cemetery, the City shall evaluate proposals in accordance with the provisions established in the Cemeteries Act (Revised) or any other applicable legislation as well as the following:
- (a) The cemetery lands should be integrated with the surrounding urban fabric.
 - (b) The cemetery must be recognizable as a public landscape, that clearly communicates public access and passive usage are acceptable.
 - (c) The impact of traffic, egress and ingress into the cemetery must be understood and mitigated.
 - (d) Adequate off-street parking and internal traffic circulation must be provided.
 - (e) Landscaping should be undertaken to complement the cemetery plan, existing contours and the surrounding areas.
 - (f) Peripheral screening or fencing or other demarcation should be considered along the boundary of existing, designated or possible future residential areas.
 - (g) The location of new cemeteries will be considered within existing municipal parkland or open space lands.
- (4) In addition to the prime function of cemeteries, it is important to recognize that cemeteries are public spaces and can and should be used and enjoyed in a respectful way. Passive recreational uses should be incorporated into, or near the fringe of cemeteries.

10.6.2.3 Golf Course

Land Use

- (1) The Golf Course designation as shown on **Schedule 'A3'- Open Space Land Uses** is a designation in which the predominant use of land shall be a golf course, including the manicured turf grass playing areas, driving ranges, putting greens, landscaped areas, natural areas and associated buildings and structures
- (2) The City recognizes the recreational and leisure benefits that golf courses provide to both residents and visitors and will permit the continued use of existing golf courses. Development of a new golf course shall not be permitted.

- (3) The expansion of an existing golf course will require an amendment to this Plan and to the Zoning By-Law and:
 - (a) Such applications will require an *Environmental Impact Statement*, or other appropriate study accepted by the City as appropriate.
 - (b) Sustainable golf course design is strongly encouraged. Expanding golf course development should result in an environmental net gain, or at a minimum, no net loss of *natural features* and *ecological functions*. Priority will be given to development on sites in degraded areas which avoid *natural features*.
- (4) Golf courses are encouraged to utilize sustainable best management practices with respect to the functioning of the natural environment and ensure environmental quality remains high.
 - (a) Existing trees within golf courses should be preserved wherever feasible to protect the health of the *urban forest*. The planting of native tree species on golf courses is strongly encouraged.
 - (b) Development and *site alteration* must be consistent with the Natural Heritage policies of this Plan.
 - (c) The protection of groundwater quality and quantity is required. Development and *site alteration* must be consistent with the Water Resource policies of this Plan.
 - (d) The proper management and efficient use of water resources for irrigation purposes is strongly encouraged. A Permit To Take Water (PTTW) is required from the Ministry of the Environment if more than 50,000L/day is withdrawn from a lake, stream, river or groundwater source.
 - (e) The environmental impacts and health concerns associated with care and maintenance of turf grass will be reduced where feasible and appropriate.
 - (f) The use of pesticide and fertilizers products will be applied in a professional and responsible manner according to provincial standards and regulations. Appropriate efforts must be taken to avoid pollutant runoff into streams, rivers and lakes.

10.6.2.4 Landfill

Land Use

- (1) The City recognizes the existence of a sanitary landfill site located in the southwest corner of the City, operated by the Regional Municipality of Waterloo.
- (2) The sanitary landfill operation may continue until the site reaches capacity. Under present design and at present and projected rates, the capacity of the site is expected to be reached in twenty to thirty years depending on usage. Subject to the implementation of the Waste Management Master Plan conducted by the Region, the capacity of the site may be extended beyond this period.
- (3) Once the sanitary landfill site has reached capacity, the operation terminated, and the

site rehabilitated, it is anticipated that it will be deeded to the City by the Region for future open space purposes. The City recognizes that it may be appropriate for a phased closing of the landfill operation. The City will collaborate with the Region to plan, design and potentially operate and/or lease recreational opportunities under a phased closing plan.

- (4) Subject to the approval of the Minister of the Environment, such open space uses shall be limited to municipal parkland, conservation areas, open space and recreational uses.
- (5) While the landfill is in operation, no buildings or structures shall be permitted except those structures associated with a landfill operation; reclamation, recovery, shredding or transfer operations; or a Regional Operations Complex.
- (6) The operation of the Sanitary Landfill site shall be subject to regulations under the Environmental Protection Act.
- (7) This Plan may be amended prior to the sanitary landfill site reaching capacity to permit uses which are compatible with a solid waste management master plan. For clarity, an Amendment is not required to permit open space uses.
- (8) Given that any expansion of the landfill could impact *sensitive uses*, expansion of the landfill is not encouraged within the City of Waterloo. Any expansion in the area of the landfill site shall require an amendment to this Official Plan and the Zoning By-Law.
- (9) Appropriate separation distances between areas used for waste disposal or other *sensitive land uses* and lands zoned for residential purposes shall be established in District Plans and the Zoning By-Law where appropriate.
- (10) On lands adjacent to the landfill site, no residential or other *sensitive land uses* will be permitted within 500 metres of the landfill site unless the proponent can demonstrate to the satisfaction of the City, in consultation with the Region, that no *adverse effects* will result for the proposed development.
- (11) The City, in cooperation with the Region, will encourage innovations in the re-use of waste or waste reclamation projects and facilities to be constructed in conjunction with the landfill site.

10.6.2.5 Natural System

- (1) Lands within the Natural System designated as Open Space, as shown on **Schedule 'A' – Land Use Plan** and described further on **Schedule 'A4' – Natural System**, include the following:
 - (a) Landscape Level Systems;

- (b) Core Natural Features;
- (c) Supporting Natural Features;
- (d) *fish habitat*
 - (i) As per policy 8.2.2(6), *fish habitat* is not mapped as such on **Schedule 'A4' – Natural System**;
- (e) Restoration Areas; and
- (f) *Linkages*.

Land Use

- (2) Policies related to the maintenance, enhancement and restoration of Landscape Level Systems, Core Natural Features, Supporting Natural Features, *fish habitat*, Restoration Areas, and *Linkages*, including the land uses permitted within each of those categories, are included in the Environment and Energy Chapter of this Plan.

10.7 RURAL LAND USE POLICIES

Land Use

- (1) The Rural Land Use designation as shown on **Schedule 'A' – Land Use Plan** identifies areas where Canada Land Inventory Class 4 to 7 soils predominate and which are typically characterized by one or more steep slopes, *natural features* and/or existing non-farm lots. The predominant land uses within this designation shall include *agricultural uses*, *agriculture-related uses* and *secondary uses*.
- (2) Land uses within the Rural designation will conform to the Rural policies contained in the Regional Official Plan, the policies within Section 10.8.1, and the *Environmentally Sensitive Landscape* policies outlined in Chapter 8 of this Plan. In the event of a conflict between the Rural land use policies and the *Environmentally Sensitive Landscape* policies, the more restrictive policies will prevail.
- (3) The division of land designated Rural for the creation of a new lot or lot adjustment may only be permitted in accordance with the policies of the Regional Official Plan.
- (4) Farming operations are encouraged to utilize sustainable agricultural techniques and best management practices which conserve and enhance the natural environment, protect surface and ground water quality and quantity and minimize impacts on adjacent land uses.

10.8 LAND USES IN TRANSITION

This Plan recognizes that several properties in the City do not currently conform to the land use designations set out in the Plan. Examples include certain *agricultural uses* and

agriculture-related uses as well as some older industrial areas located throughout the City's Urban Area Boundary. It is the intent of this Plan that over time, these land uses will gradually evolve and transition to new uses, including a range of commercial, residential, office employment or other uses in accordance with the policies of this Plan. It is recognized, however, that land use change often involves dealing with challenges relating to land use compatibility, potential soil contamination and other planning issues. As a result, this Plan seeks to promote land use change in a timely and flexible manner while effectively addressing any physical, economic, environmental or public health and safety matters.

10.8.1 Agricultural Uses and *Agriculture-Related Uses*

- (1) This Plan recognizes the existence of past *agricultural uses* and *agriculture-related uses* within the City.
 - (a) Where such uses are located within the Urban Area Boundary as shown on **Schedule 'A' – Land Use Plan**, it is the intent of this Plan that such uses will be gradually be replaced by urban uses with the extension of full municipal services in conjunction with the orderly development of neighbouring lands.
 - (b) Where *agricultural uses* or *agriculture-related uses* are located within the Rural land use designation on **Schedule 'A' Land Use Plan**, it is the intent of this Plan that such uses will be permitted for the long term.
 - (i) The permitted uses for lands designated Rural are further defined in the Rural land use designation found in Section 10.7.
- (2) The establishment of new, or the expansion of existing *agricultural uses* or *agriculture-related uses* or secondary uses will not be permitted to locate within the Urban Area Boundary.
- (3) The City may establish additional regulations in the Zoning By-law to minimize the impact of *agricultural uses* or *agriculture-related uses* located within the Urban Area Boundary on adjacent uses and the environment.
- (4) Notwithstanding Policy 10.8.1 (2), *urban agriculture* shall be permitted within the Urban Area as designated on Schedule 'B' – City Structure where appropriate. The Zoning By-law and other City by-laws will establish specific regulations pertaining to *urban agriculture* uses, including location and performance standards for such uses. *Urban agriculture* shall be compatible with surrounding lands, and 124 shall not negatively impact Open Space lands as designated on Schedule 'A' – Land Use Plan.
- (5) The City may partner with community stakeholders to develop mechanisms to promote *urban agriculture* and to mitigate or remove barriers to urban agriculture where appropriate.

10.8.2 Industrial Areas in Transition

This Plan recognizes that it is appropriate for some areas within the City to transition from industrial areas, usually to *mixed-use*, higher density areas. To facilitate this transition, certain areas within the City that have historically been designated and/or zoned for industrial uses are now designated for other land uses, often in a *mixed-use* format and including *sensitive lands uses* such as residential. **Schedule 'I' - Industrial Transition Areas** indicates certain areas throughout the City that were designated Industrial and/or zoned to permit industrial uses prior to approval of this Plan and through the designations applied in this Plan, are now contemplated to permit a wider mix of residential and other land uses.

It is further recognized that while an area is in transition, it may be difficult to achieve minimum recommended separation distances, as defined in Provincial Guidelines that address potential land use compatibility issues between industrial facilities and *sensitive land uses*. This scenario is contemplated in the Province's D-6 Guideline "Compatibility Between Industrial Facilities and Sensitive Land Uses", which provides a framework for considering development proposals within *mixed-use* areas where the Province's recommended minimum separation distances cannot be achieved.

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- (1) Where *existing* industrial uses exist on lands illustrated on **Schedule 'I' – Industrial Transition Areas**, it is the intent of this Plan that the industrial use will cease to exist in the long term. Where it is necessary or desirable to zone lands to a zone category that would permit new *sensitive land uses* in conformity with the Official Plan designation prior to the industrial facility ceasing operation, the City may apply site-specific zoning provisions to limit permitted uses and/or may utilize holding provisions to restrict development in conjunction with the implementing zoning for the area. Removal of holding provisions will be contingent on the applicant demonstrating compliance with the Provincial D-6 Guideline "Compatibility Between Industrial Facilities and Sensitive Land Uses".
- (2) For the properties illustrated on **Schedule 'I' – Industrial Transition Areas**, to resolve any municipal concerns with respect to soil contamination, prior to the passing of a Zoning By-law that would: (i) change the use of a property to a more *sensitive land use*; or, (ii) change the use of the property to a *non-sensitive land use* on or adjacent to a *known contaminated site*, or on a *potentially contaminated site*, the City will:
 - (a) Require the completion of a Record of Site Condition acknowledged by the Ministry of the Environment; or
 - (b) Apply a holding provision in the implementing Zoning By-law to prohibit the proposed use until a Record of Site Condition has been acknowledged by the Ministry of the Environment; or
 - (c) Defer the requirement for a Record of Site Condition to the Building Permit application process, if applicable, provided the City's Chief Building Official provides a letter to the Region confirming that a Record of Site Condition will be required prior to Building Permit Issuance; or

- (d) Obtain a letter from the Region advising that the requirement for a Record of Site Condition has been waived.
- (3) Where long term remediation of a site is required and on-going remediation does not present health and safety risks to the proposed use, the City may consider the approval of the Zoning By-law Amendment set out under policy 10.8.2(2) where agreements and securities as appropriate are provided to the City, the Region and/or the Ministry of the Environment to ensure the final remediation of the site and the future completion of the Record of Site Condition.